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CANADA

Debates of the Senate

1st SESSION

• 39th PARLIAMENT

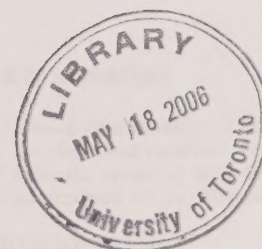
• VOLUME 143

• NUMBER 1

OFFICIAL REPORT
(HANSARD)

Monday, April 3, 2006

—
**THE HONOURABLE NOËL A. KINSELLA
SPEAKER**



This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.

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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Monday, April 3, 2006

THIRTY-NINTH PARLIAMENT OPENING OF FIRST SESSION

Parliament having been summoned by proclamation to meet this day for the dispatch of business:

The Senate met at 10:30 a.m.

SPEAKER OF THE SENATE

COMMISSION APPOINTING
HONOURABLE NOËL A. KINSELLA

The Honourable Noël A. Kinsella, having taken the clerk's chair, rose and informed the Senate that a commission had been issued under the Great Seal of Canada, appointing him Speaker of the Senate.

The said commission was then read by the clerk.

The Hon. the Speaker then took the chair at the foot of the Throne, to which he was conducted by the Honourable Marjory LeBreton, P.C., and the Honourable Daniel Hays, the Usher of the Black Rod preceding.

Prayers.

[Translation]

The Hon. the Speaker: Honourable senators, under the *Rules of the Senate*, when the Speaker of the Senate wishes to make a statement he may do so from his place in the Senate.

[English]

Therefore, honourable senators, pursuant to rule 55(3), at a subsequent sitting I shall leave the chair and rise in my place in the Senate in order to express my deep gratitude to my predecessor as Speaker, the Honourable Daniel Hays. Senator Hays undertook remarkable work during his tenure as our Speaker, and he has been generous with his guidance and wise counsel as I begin my term as Speaker.

• (1040)

On a further procedural note, honourable senators will have observed that the long Westminster parliamentary practice of dragging a chamber member to the Speaker's chair has been maintained. This practice relates to an earlier time when the Speaker was often placed in harm's way as he brought before the Crown messages from Parliament that were not overly pleasing to the monarch. We are all familiar with the phrase "shoot the messenger." I trust that this earlier practice of a displeased sovereign has been well forgotten.

[Translation]

I want to thank you, honourable senators, for your kind words of congratulations.

[English]

It is a high honour that we all share in serving the people of Canada in this foundational and critically important House of Parliament.

[Translation]

COMMUNICATION FROM GOVERNMENT HOUSE

The Hon. the Speaker: Honourable senators, I have the honour to inform you that I have received the following communication from Government House, which reads as follows:

RIDEAU HALL

March 20, 2006

Mr. Speaker

I am commanded to inform you that the Right Honourable Beverley McLachlin, Chief Justice of the Supreme Court of Canada, in her capacity as Deputy of the Governor General, will proceed to the Chamber of the Senate to open the First Session of the Thirty-ninth Parliament of Canada at 11:00 a.m. on Monday, the 3rd day of April, 2006.

Yours sincerely,

Barbara Uteck
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

[English]

NEW SENATOR

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that the clerk has received a certificate from the Registrar General of Canada showing that the Honourable Michael Fortier has been summoned to the Senate:

INTRODUCTION

The Hon. the Speaker having informed the Senate that there was a senator without, waiting to be introduced:

The following honourable senator was introduced; presented Her Majesty's writ of summons; took the oath prescribed by law, which was administered by the clerk; and was seated:

Hon. Michael Fortier, P.C., of the Town of Mount Royal, Quebec, introduced between **Hon. Marjory LeBreton, P.C.**, and **Hon. W. David Angus**.

The Hon. the Speaker informed the Senate that the honourable senator named above had made and subscribed the declaration of qualification required by the Constitution Act, 1867, in the presence of the Clerk of the Senate, the Commissioner appointed to receive and witness the said declaration.

The Senate adjourned during pleasure.

• (1100)

At 11:00 a.m. the sitting was resumed, and was then adjourned, pending the arrival of the Deputy of Her Excellency the Governor General.

[Translation]

The Right Honourable Beverley McLachlin, Deputy of Her Excellency the Governor General, having come to the Senate and being seated at the foot of the Throne,

The Hon. the Speaker commanded the Usher of the Black Rod to proceed to the House of Commons and acquaint that House that it is the desire of the Honourable the Deputy of Her Excellency the Governor General that they attend her immediately in the Senate chamber.

[English]

Who being come,

The Hon. the Speaker said:

Honourable Members of the Senate:

Members of the House of Commons:

I have it in command to let you know that Her Excellency the Governor General does not see fit to declare the causes of her summoning the present Parliament of Canada until the Speaker of the House of Commons shall have been chosen, according to law; but tomorrow, Tuesday, April 4, 2006, at the hour of three o'clock in the afternoon, Her Excellency will declare the causes of her calling this Parliament.

The House of Commons withdrew.

The Honourable the Deputy of Her Excellency the Governor General was pleased to retire.

[Translation]

The sitting of the Senate was resumed.

COMMUNICATION FROM GOVERNMENT HOUSE

The Hon. the Speaker: Honourable senators, I have the honour to inform the Senate that I have received a communication from Government House which reads as follows:

RIDEAU HALL

April 3, 2006

Sir,

I have the honour to inform you that Her Excellency the Right Honourable Michaëlle Jean, Governor General of Canada, and His Excellency Jean-Daniel Lafond will arrive at the Peace Tower at 3:00 p.m. on Tuesday, the 4th day of April, 2006.

When it has been indicated that all is in readiness, Their Excellencies will proceed to the chamber of the Senate to formally open the First Session of the Thirty-ninth Parliament of Canada.

Yours sincerely,

Barbara Uteck
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

ADJOURNMENT

Hon. Gerald J. Comeau (Deputy Leader of the Government), with leave of the Senate and notwithstanding rule 59(1)(h), moved:

That when the Senate adjourns today, it do stand adjourned until Tuesday, April 4, 2006, at 3 p.m.

Motion agreed to.

The Senate adjourned until tomorrow, at 3 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

The Honourable Noël A Kinsella

THE LEADER OF THE GOVERNMENT

The Honourable Marjory LeBreton, P.C.

THE LEADER OF THE OPPOSITION

The Honourable Daniel Hays

OFFICERS OF THE SENATE**CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Paul Bélisle

DEPUTY CLERK, PRINCIPAL CLERK, LEGISLATIVE SERVICES

Gary O'Brien

LAW CLERK AND PARLIAMENTARY COUNSEL

Mark Audcent

USHER OF THE BLACK ROD

Terrance J. Christopher

THE MINISTRY

(In order of precedence)

(April 3, 2006)

The Right Hon. Stephen Joseph Harper	Prime Minister
The Hon. Robert Douglas Nicholson	Leader of the Government in the House of Commons and Minister for Democratic Reform
The Hon. David Emerson	Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics
The Hon. Jean-Pierre Blackburn	Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec
The Hon. Gregory Francis Thompson	Minister of Veterans Affairs
The Hon. Marjory LeBreton	Leader of the Government in the Senate
The Hon. Monte Solberg	Minister of Citizenship and Immigration
The Hon. Chuck Strahl	Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board
The Hon. Gary Lunn	Minister of Natural Resources
The Hon. Peter Gordon MacKay	Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency
The Hon. Loyola Hearn	Minister of Fisheries and Oceans
The Hon. Stockwell Day	Minister of Public Safety
The Hon. Carol Skelton	Minister of National Revenue and Minister of Western Economic Diversification
The Hon. Vic Toews	Minister of Justice and Attorney General of Canada
The Hon. Rona Ambrose	Minister of the Environment
The Hon. Michael D. Chong	President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister for Sport
The Hon. Diane Finley	Minister of Human Resources and Social Development
The Hon. Gordon O'Connor	Minister of National Defence
The Hon. Beverley J. Oda	Minister of Canadian Heritage and Status of Women
The Hon. Jim Prentice	Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians
The Hon. John Baird	President of the Treasury Board
The Maxime Bernier	Minister of Industry
The Hon. Lawrence Cannon	Minister of Transport, Infrastructure and Communities
The Hon. Tony Clement	Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario
The Hon. James Michael Flaherty	Minister of Finance
The Hon. Josée Verner	Minister of International Cooperation and Minister for La Francophonie and Official Languages
The Hon. Michael Fortier	Minister of Public Works and Government Services

SENATORS OF CANADA

ACCORDING TO SENIORITY

(April 3, 2006)

Senator	Designation	Post Office Address
The Honourable		
Jack Austin, P.C.	Vancouver South	Vancouver, B.C.
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
Michael Kirby	South Shore	Halifax, N.S.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuuujuaq, Que.
Daniel Hays	Calgary	Calgary, Alta.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Mira Spivak	Manitoba	Winnipeg, Man.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	Nova Scotia	Halifax, N.S.
Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.
John Buchanan, P.C.	Nova Scotia	Halifax, N.S.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth, N.S.
Janis G. Johnson	Winnipeg-Interlake	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Victoria Beach, Man.
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.

Senator	Designation	Post Office Address
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Wilfred P. Moore	Stanhope St./Bluenose	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Marisa Ferretti Barth	Repentigny	Pierrefonds, Que.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Ross Fitzpatrick	Okanagan-Similkameen	Kelowna, B.C.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
Ione Christensen	Yukon	Whitehorse, Yukon
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Madeleine Plamondon	The Laurentides	Shawinigan, Que.
Marilyn Trenholme Counsell	New Brunswick	Sackville, N.B.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Robert W. Peterson	Saskatchewan	Regina, Sask.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Roméo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A.A. Zimmer	Manitoba	Winnipeg, Man.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Yoïne Goldstein	Rigaud	Montreal, Que.
Francis Fox, P.C.	Victoria	Montreal, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Michael Fortier, P.C.	Rougemont	Town of Mount Royal, Que.

SENATORS OF CANADA

ALPHABETICAL LIST

(April 3, 2006)

Senator	Designation	Post Office Address	Political Affiliation
The Honourable			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Liberal
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Angus, W. David	Alma	Montreal, Que.	Conservative
Atkins, Norman K.	Markham	Toronto, Ont.	Progressive Conservative
Austin, Jack, P.C.	Vancouver South	Vancouver, B.C.	Liberal
Bacon, Lise	De la Durantaye	Laval, Que.	Liberal
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Banks, Tommy	Alberta	Edmonton, Alta.	Liberal
Biron, Michel	Mille Isles	Nicolet, Que.	Liberal
Bryden, John G.	New Brunswick	Bayfield, N.B.	Liberal
Buchanan, John, P.C.	Halifax	Halifax, N.S.	Conservative
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Liberal
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Liberal
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.	Conservative
Carstairs, Sharon, P.C.	Manitoba	Victoria Beach, Man.	Liberal
Champagne, Andrée, P.C.	Grandville	Saint-Hyacinthe, Que.	Conservative
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Liberal
Christensen, Ione	Yukon	Whitehorse, Yukon	Liberal
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	Conservative
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	Conservative
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	Conservative
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Liberal
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cowan, James S.	Nova Scotia	Halifax, N.S.	Liberal
Dallaire, Roméo Antonius	Gulf	Sainte-Foy, Que.	Liberal
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Liberal
Di Nino, Consiglio	Ontario	Downsview, Ont.	Conservative
Downe, Percy	Charlottetown	Charlottetown, P.E.I.	Liberal
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	New Democrat
Eggleton, Art, P.C.	Ontario	Toronto, Ont.	Liberal
Eyton, J. Trevor	Ontario	Caledon, Ont.	Conservative
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Liberal
Ferretti Barth, Marisa	Repentigny	Pierrefonds, Que.	Liberal
Fitzpatrick, Ross	Okanagan-Similkameen	Kelowna, B.C.	Liberal
Forrestall, J. Michael	Dartmouth and the Eastern Shore	Dartmouth, N.S.	Conservative
Fortier, Michael, P.C.	Rougemont	Town of Mount Royal, Que.	Conservative
Fox, Francis, P.C.	Victoria	Montreal, Que.	Liberal
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Liberal
Goldstein, Yoine	Rigaud	Montreal, Que.	Liberal
Grafstein, Jeremiah S.	Metro Toronto	Toronto, Ont.	Liberal
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	Conservative
Harb, Mac.	Ontario	Ottawa, Ont.	Liberal
Hays, Daniel	Calgary	Calgary, Alta.	Liberal
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Liberal
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	Conservative
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	Conservative
Kinsella, Noël A., <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.	Conservative
Kirby, Michael	South Shore	Halifax, N.S.	Liberal
Lapointe, Jean	Saurel	Magog, Que.	Liberal
Lavigne, Raymond	Montarville	Verdun, Que.	Liberal
LeBreton, Marjory	Ontario	Manotick, Ont.	Conservative
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Liberal
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
Mahovlich, Francis William	Toronto	Toronto, Ont.	Liberal
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Liberal
McCoy, Elaine	Alberta	Calgary, Alta.	Progressive Conservative
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	Conservative
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Merchant, Pana	Saskatchewan	Regina, Sask.	Liberal
Milne, Lorna	Peel County	Brampton, Ont.	Liberal
Mitchell, Grant	Alberta	Edmonton, Alta.	Liberal
Moore, Wilfred P.	Stanhope St./Bluenose	Chester, N.S.	Liberal
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	Progressive Conservative
Nancy Ruth	Cluny	Toronto, Ont.	Conservative
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	Conservative
Oliver, Donald H.	Nova Scotia	Halifax, N.S.	Conservative
Pépin, Lucie	Shawinigan	Montreal, Que.	Liberal
Peterson, Robert W.	Saskatchewan	Regina, Sask.	Liberal
Phalen, Gerard A.	Nova Scotia	Glace Bay, N.S.	Liberal
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Independent
Plamondon, Madeleine	The Laurentides	Shawinigan, Que.	Independent
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Liberal
Poy, Vivienne	Toronto	Toronto, Ont.	Liberal
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Independent
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Liberal
Rivest, Jean-Claude	Stadacona	Quebec, Que.	Independent
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Liberal
Rompkey, William H., P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.	Liberal
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	Conservative
Segal, Hugh	Kingston-Frontenac-Leeds	Kingston, Ont.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Liberal
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Liberal
Spivak, Mira	Manitoba	Winnipeg, Man.	Independent
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Liberal
Stratton, Terrance R.	Red River	St. Norbert, Man.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Trenholme Counsell, Marilyn	New Brunswick	Sackville, N.B.	Liberal
Watt, Charlie	Inkerman	Kuujuaq, Que.	Liberal
Zimmer, Rod A.A.	Manitoba	Winnipeg, Man.	Liberal

SENATORS OF CANADA
BY PROVINCE AND TERRITORY
 (April 3, 2006)

ONTARIO—24

Senator	Designation	Post Office Address
The Honourable		
1 Lowell Murray, P.C.	Pakenham	Ottawa
2 Peter Alan Stollery	Bloor and Yonge	Toronto
3 Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa
4 Jeremiah S. Grafstein	Metro Toronto	Toronto
5 Anne C. Cools	Toronto Centre-York	Toronto
6 Colin Kenny	Rideau	Ottawa
7 Norman K. Atkins	Markham	Toronto
8 Consiglio Di Nino	Ontario	Downsview
9 John Trevor Eyton	Ontario	Caledon
10 Wilbert Joseph Keon	Ottawa	Ottawa
11 Michael Arthur Meighen	St. Marys	Toronto
12 Marjory LeBreton	Ontario	Manotick
13 Lorna Milne	Peel County	Brampton
14 Marie-P. Poulin	Northern Ontario	Ottawa
15 Francis William Mahovlich	Toronto	Toronto
16 Vivienne Poy	Toronto	Toronto
17 David P. Smith, P.C.	Cobourg	Toronto
18 Mac Harb	Ontario	Ottawa
19 Jim Munson	Ottawa/Rideau Canal	Ottawa
20 Art Eggleton, P.C.	Ontario	Toronto
21 Nancy Ruth	Cluny	Toronto
22 Hugh Segal	Kingston-Frontenac-Leeds	Kingston
23		
24		

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

Senator	Designation	Post Office Address
The Honourable		
1 Charlie Watt	Inkerman	Kuujuuaq
2 Pierre De Bané, P.C.	De la Vallière	Montreal
3 Jean-Claude Rivest	Stadacona	Quebec
4 Marcel Prud'homme, P.C.	La Salle	Montreal
5 W. David Angus	Alma	Montreal
6 Pierre Claude Nolin	De Salaberry	Quebec
7 Lise Bacon	De la Durantaye	Laval
8 Céline Hervieux-Payette, P.C.	Bedford	Montreal
9 Lucie Pépin	Shawinigan	Montreal
10 Marisa Ferretti Barth	Repentigny	Pierrefonds
11 Serge Joyal, P.C.	Kennebec	Montreal
12 Joan Thorne Fraser	De Lorimier	Montreal
13 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue
14 Jean Lapointe	Saurel	Magog
15 Michel Biron	Milles Isles	Nicolet
16 Raymond Lavigne	Montarville	Verdun
17 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
18 Madeleine Plamondon	The Laurentides	Shawinigan
19 Roméo Antonius Dallaire	Gulf	Sainte-Foy
20 Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe
21 Dennis Dawson	Lauzon	Ste-Foy
22 Yoine Goldstein	Rigaud	Montreal
23 Francis Fox, P.C.	Victoria	Montreal
24 Michael Fortier, P.C.	Rougemont	Town of Mount Royal

SENATORS BY PROVINCE-MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
The Honourable		
1 Michael Kirby	South Shore	Halifax
2 Gerald J. Comeau	Nova Scotia	Saulnierville
3 Donald H. Oliver	Nova Scotia	Halifax
4 John Buchanan, P.C.	Halifax	Halifax
5 J. Michael Forrestall	Dartmouth and the Eastern Shore	Dartmouth
6 Wilfred P. Moore	Stanhope St./Bluenose	Chester
7 Jane Cordy	Nova Scotia	Dartmouth
8 Gerard A. Phalen	Nova Scotia	Glace Bay
9 Terry M. Mercer	Northend Halifax	Caribou River
10 James S. Cowan	Nova Scotia	Halifax

NEW BRUNSWICK—10

Senator	Designation	Post Office Address
The Honourable		
1 Eymard Georges Corbin	Grand-Sault	Grand-Sault
2 Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton
3 John G. Bryden	New Brunswick	Bayfield
4 Rose-Marie Losier-Cool	Tracadie	Bathurst
5 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
6 Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
7 Pierrette Ringuette	New Brunswick	Edmundston
8 Marilyn Trenholme Counsell	New Brunswick	Sackville
9 Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations
10		

PRINCE EDWARD ISLAND—4

Senator	Designation	Post Office Address
The Honourable		
1 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
2 Elizabeth M. Hubley	Prince Edward Island	Kensington
3 Percy Downe	Charlottetown	Charlottetown
4		

SENATORS BY PROVINCE-WESTERN DIVISION

MANITOBA—6

Senator	Designation	Post Office Address
The Honourable		
1 Mira Spivak	Manitoba	Winnipeg
2 Janis G. Johnson	Winnipeg-Interlake	Gimli
3 Terrance R. Stratton	Red River	St. Norbert
4 Sharon Carstairs, P.C.	Manitoba	Victoria Beach
5 Maria Chaput	Manitoba	Sainte-Anne
6 Rod A.A. Zimmer	Manitoba	Winnipeg

BRITISH COLUMBIA—6

Senator	Designation	Post Office Address
The Honourable		
1 Jack Austin, P.C.	Vancouver South	Vancouver
2 Pat Carney, P.C.	British Columbia	Vancouver
3 Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
4 Ross Fitzpatrick	Okanagan-Similkameen	Kelowna
5 Mobina S.B. Jaffer	British Columbia	North Vancouver
6 Larry W. Campbell	British Columbia	Vancouver

SASKATCHEWAN—6

Senator	Designation	Post Office Address
The Honourable		
1 A. Raynell Andreychuk	Saskatchewan	Regina
2 Leonard J. Gustafson	Saskatchewan	Macoun
3 David Tkachuk	Saskatchewan	Saskatoon
4 Pana Merchant	Saskatchewan	Regina
5 Robert W. Peterson	Saskatchewan	Regina
6 Lillian Eva Dyck	Saskatchewan	Saskatoon

ALBERTA—6

Senator	Designation	Post Office Address
The Honourable		
1 Daniel Hays	Calgary	Calgary
2 Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
3 Tommy Banks	Alberta	Edmonton
4 Claudette Tardif	Alberta	Edmonton
5 Grant Mitchell	Alberta	Edmonton
6 Elaine McCoy	Alberta	Calgary

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
The Honourable		
1 Ethel Cochrane	Newfoundland and Labrador	Port-au-Port
2 William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador
3 Joan Cook	Newfoundland and Labrador	St. John's
4 George Furey	Newfoundland and Labrador	St. John's
5 George S. Baker, P.C.	Newfoundland and Labrador	Gander
6	

NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
The Honourable		
1 Nick G. Sibbeston	Northwest Territories	Fort Simpson

NUNAVUT—1

Senator	Designation	Post Office Address
The Honourable		
1 Willie Adams	Nunavut	Rankin Inlet

YUKON—1

Senator	Designation	Post Office Address
The Honourable		
1 Ione Christensen	Yukon	Whitehorse

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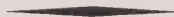
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Debates of the Senate

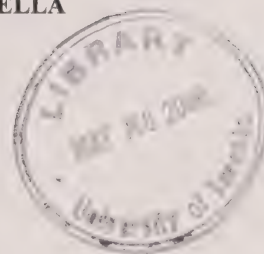
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OFFICIAL REPORT
(HANSARD)

Tuesday, April 4, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER



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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Tuesday, April 4, 2006

The Senate met at 3 p.m., the Speaker in the chair.

[English]

Prayers.

The Hon. the Speaker: As there is no business before the Senate, is it your pleasure, honourable senators, that the Senate do now adjourn during pleasure to await the arrival of Her Excellency the Governor General of Canada?

The Senate adjourned during pleasure.

At 3:20 p.m., Her Excellency the Governor General having come and being seated upon the Throne —

The Hon. the Speaker said:

Usher of the Black Rod,

You will proceed to the House of Commons and acquaint that House that it is the pleasure of Her Excellency the Governor General of Canada that they attend her immediately in the Senate chamber.

The House of Commons being come,

Their Speaker, the Hon. Peter Milliken, said:

May it please Your Excellency,

The House of Commons has elected me their Speaker, though I am but little able to fulfil the important duties thus assigned to me. If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me, and not to the Commons, whose servant I am, and who, through me, the better to enable them to discharge their duty to their Queen and Country, humbly claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to Your Excellency's person at all seasonable times, and that their proceedings may receive from Your Excellency the most favourable construction.

[Translation]

The Hon. the Speaker of the Senate answered:

Mr. Speaker, I am commanded by Her Excellency the Governor General to declare to you that she freely confides in the duty and attachment of the House of Commons to Her Majesty's Person and Government, and not doubting that their proceedings will be conducted with wisdom, temper and prudence, she grants, and upon all occasions will recognize and allow, their constitutional privileges. I am commanded also to assure you that the Commons shall have ready access to Her Excellency upon all seasonable occasions and that their proceedings, as well as your words and actions, will constantly receive from her the most favourable construction.

SPEECH FROM THE THRONE

Her Excellency the Governor General was then pleased to open the First Session of the Thirty-ninth Parliament with the following speech:

Honourable Members of the Senate,

Members of the House of Commons,

Ladies and Gentlemen:

As the representative of Her Majesty Queen Elizabeth II, I am honoured to welcome the newly elected members of the House of Commons on the occasion of the opening of the First Session of the Thirty-ninth Parliament of Canada. Canadians rejoice in the coming eightieth birthday of Her Majesty later this month, and in her more than fifty years of service as Queen of Canada.

Since my appointment as Governor General of Canada, I have had the privilege of meeting women and men who each and every day, and each in their own way, reaffirm their attachment to this vast land that we share and where people from around the world have found a home. Women and men of ideas, conviction and action who have an abiding sense of responsibility, solidarity and commitment to their neighbourhoods, to their communities and to their country. And I am moved to see just how strong and vibrant a country we are.

[Translation]

I have been particularly struck by the words of our young people and by their wealth of ideas. Young people who are looking to carve out their place and be heard. The new generation of Aboriginal entrepreneurs who are creating new opportunities. Young people in our Canadian Forces who, through their extraordinary efforts, offer a promise of hope for the oppressed. More than ever, our young people represent not only the promise of a brighter future, but also the vitality of our present.

I have met with people from our two great linguistic communities and I can attest that our linguistic duality is a tremendous asset for the country. Similarly, Canadian artists from all disciplines have confirmed to me just how important creative expression is to the health of a democratic society.

And I have heard from Canadians who feel they often lack a voice. Women who are victims of violence. Families newly arrived in Canada who seek to contribute to our society and our country's collective well-being.

Listening to citizens from all walks of life has strengthened my already deep conviction that we are living in a country where everything is possible, where each of us is free to follow his or her dreams but also has a duty to help build our country and prepare it for the challenges that lie ahead.

[English]

BUILDING A STRONGER CANADA

On January 23, the Canadian people elected a new government. The Government is honoured by the responsibility it has been given for managing the affairs of our great country.

Canada is uniquely blessed in the strength and diversity of its people and regions. Through hard work, foresight and good fortune, we have come together to make our vast country one of the most successful the world has ever seen.

The distance we have travelled is remarkable. A country once perceived to be at the edge of the world is now at the leading edge of science, business, the arts and sport. Whether it is on the podium in Turin, on the rugged hills of Afghanistan, or in the bustling markets of Asia, Canadians demonstrate time and time again that they are leaders.

The Government is proud of what Canadians have accomplished so far, and is inspired by the country's bright prospects. It believes in the capacity of Canadians to seize the enormous opportunities before them and build an even stronger Canada, striving for excellence, anchored by enduring values, and infused with growing confidence that they can make a difference at home and in the world.

In support of building a stronger Canada, the Government's agenda will be clear and focused. It will clean up government, provide real support to ordinary working families and strengthen our federation as well as our role in the world.

[Translation]

TURNING A NEW LEAF

Canadians have chosen change. They want a government that treats their tax dollars with respect. A government that puts ordinary working people and their families first. A government that is accountable.

This Government has been given a mandate to lead the change demanded by the Canadian people.

Leading change in a minority Parliament means working together. To this end, the Government will look for shared goals and common ideas that will help Canadians build a stronger Canada.

It is time to turn a new leaf.

[English]

BRINGING ACCOUNTABILITY BACK TO GOVERNMENT

No aspect of responsible government is more fundamental than having the trust of citizens. Canadians' faith in the institutions and practices of government has been eroded. This new government trusts in the Canadian people, and its goal is that Canadians will once again trust in their government. It is time for accountability.

[Translation]

To restore this trust, the first piece of legislation the Government will bring forward will be the Federal Accountability Act.

This omnibus legislation and the associated Accountability Action Plan will change the current system of oversight and management by strengthening the rules and institutions that ensure transparency and accountability to Canadians. The legislation will ban institutional and large personal donations to political parties; it will ensure that positions of public trust cannot be used as stepping stones to private lobbying; and it will provide real protection for whistle-blowers who show great courage in coming forward to do what is right.

[English]

The Government will strengthen the capacity and independence of officers of Parliament, including the Auditor General, to hold the Government to account. It will increase the transparency of appointments, contracts and auditing within government departments and Crown corporations.

Effective checks and balances are important, but they are not enough. The trust of citizens must be earned every day. The Government will work to earn that trust.

HELPING ORDINARY WORKING CANADIANS AND THEIR FAMILIES

This Government believes that Canadians pay too much in tax. The Government's tax plan will, over time, reduce the tax burden on all Canadians.

To this end, the Government will reduce the Goods and Services Tax by one percent. Cutting the GST will help all Canadians deal with the rising cost of living, put money back in people's pockets and help stimulate the economy.

[Translation]

Cutting the GST is the best way to lower taxes for all Canadians, including low-income Canadians who need it most.

[English]

The Government will continue with a responsible approach to lowering taxes for the benefit of Canadians and the Canadian economy, including a further reduction of the GST to five percent.

TACKLING CRIME

Canadians have always taken pride in our low crime rates. Safe streets have long characterized Canada's communities — from villages to towns to cities. Safe communities allow families and businesses to prosper.

Unfortunately, our safe streets and healthy communities are increasingly under threat of gun, gang and drug violence.

This Government will tackle crime. It will propose changes to the Criminal Code to provide tougher sentences for violent and repeat offenders, particularly those involved in weapons-related crimes. It will help prevent crime by putting more police on the street and improving the security of our borders.

[Translation]

It is equally important that we prevent criminal behaviour before it has a chance to take root. To this end, the Government will work with the provinces and territories to help communities provide hope and opportunity for our youth, and end the cycle of violence that can lead to broken communities and broken lives.

[English]

PROVIDING CHILD CARE CHOICE AND SUPPORT

Strong families ensure a bright future for Canada. The most important investment we can make as a country is to help families raise their children.

This Government understands that no two Canadian families are exactly alike. Each has its own circumstances and needs. Parents must be able to choose the child care that is best for them. The Government will help Canadian parents, as they seek to balance work and family life, by supporting their child care choices through direct financial support.

[Translation]

In collaboration with the provinces and territories, employers and community non-profit organizations, it will also encourage the creation of new child care spaces.

ENSURING CANADIANS GET THE HEALTH CARE THEY HAVE PAID FOR

Canadians have paid their taxes to support our system of public health insurance. But all too often, they find themselves waiting too long for critical procedures. That is not good enough. It is time Canadians received the health care they have paid for.

The Government will engage the provinces and territories on a patient wait times guarantee for medically necessary services. This guarantee will make sure that all Canadians receive essential medical treatment within clinically acceptable waiting times.

A health system that is timely and sustainable will require innovation. The Government will support and enable innovative approaches to health care delivery consistent with the principles of a universally accessible and equitable public health care system embodied in the *Canada Health Act*.

[English]

A CANADA THAT WORKS FOR ALL OF US

One of Canada's greatest strengths is our federal system of government. The founders of our country had the foresight to build a flexible federal system that would accommodate our diversity and build upon the unique strengths of the different parts of our federation.

To remain strong and effective, our federation must keep pace with the evolving needs of Canadian society. Building on the work begun in the last Parliament, this Government will seek to involve parliamentarians and citizens in examining the challenges facing Canada's electoral system and democratic institutions. At the same time, it will explore means to ensure that the Senate better reflects both the democratic values of Canadians and the needs of Canada's regions.

All too often, the strength of our federation is compromised by jurisdictional squabbles that obscure accountabilities and prevent governments from working together in the best interests of Canadians.

[Translation]

This new government will take a new approach. It is committed to building a better federation in which governments come together to help Canadians realize their potential. To this end, the Government will respond to concerns about the fiscal imbalance and will work to ensure fiscal arrangements in which all governments have access to the resources they need to meet their responsibilities.

The Government is committed to an open federalism that recognizes the unique place of a strong, vibrant Quebec in a united Canada. It will work with the government and legislature of Quebec in a spirit of mutual respect and collaboration to advance the aspirations of Quebecers.

In the international community, Canada is stronger when we speak with one voice, but that voice must belong to all of us. In a more interdependent world, decisions on international issues increasingly affect not only countries, but also individuals, communities and regions.

This is why the Government will facilitate provincial participation in the development of Canadian positions that affect areas of provincial responsibility. The government recognizes the special cultural responsibilities of the Government of Quebec and will therefore invite Quebec to play a role in the United Nations Educational, Scientific and Cultural Organization. By harnessing the diversity of experience and expertise found within our federation, we can present a strong, united and confident voice to the world.

[English]

CANADA — STRONG, UNITED, INDEPENDENT AND FREE

Canada's voice in the world must be supported by action, both at home and abroad. Advancing our interests in a complex and sometimes dangerous world requires confidence and the independent capacity to defend our country's sovereignty and the security of our citizens.

The Government will work cooperatively with our friends and allies and constructively with the international community to advance common values and interests. In support of this goal, it will build stronger multilateral and bilateral relationships, starting with Canada's relationship with the United States, our best friend and largest trading partner.

More broadly, this Government is committed to supporting Canada's core values of freedom, democracy, the rule of law and human rights around the world. In this regard, the Government will support a more robust diplomatic role for Canada, a stronger military and a more effective use of Canadian aid dollars.

Just as it honours the past efforts of our veterans, the Government stands firmly behind the vital role being played by our troops in Afghanistan today. The dedicated Canadians in Afghanistan deserve all of our support as they risk their lives to defend our national interests, combat global terrorism and help the Afghan people make a new start as a free, democratic and peaceful country.

CONCLUSION

The Government's clear and focused agenda reflects its commitment to Canadians. It will not try to do all things at once. Instead, the Government will work diligently to make tangible improvements that contribute to stronger families and safer communities, and a stronger country.

[Translation]

During this Thirty-Ninth Parliament, the Government will be bringing forward fiscally responsible budgets and a legislative program that will achieve the results that Canadians expect from their elected representatives. In this work, it will rely on the support and counsel of a dedicated and professional Public Service. In turn, it will give the Public Service the leadership and tools it needs to excel in the service of Canadians.

[English]

Recognizing the important role of parliamentarians, members of Parliament will be asked to conduct comprehensive reviews of key federal legislation, including the *Canadian Environmental Protection Act*, the *Anti-Terrorism Act* and the *Bank Act*. The Government will act in Parliament to offer an apology for the Chinese Head Tax. Significant international treaties will be submitted for votes in Parliament.

Over the course of its mandate, and starting with the clear priorities set out today, the Government will work diligently to build a record of results. It will promote a more competitive, more productive Canadian economy. It will seek to improve opportunity for all Canadians, including Aboriginal peoples and new immigrants. It will work to improve the security of seniors. It will take measures to achieve tangible improvements in our environment, including reductions in pollution and greenhouse gas emissions.

This Government recognizes the unique challenges faced by those who make their livelihood from our land and oceans in our vital natural resource and agriculture industries. It will take action to secure a prosperous future for Canadian agriculture, following years of neglect. It will respond to short-term needs, create separate and more effective farm income stabilization and disaster relief programs and work with producers and partners to achieve long-term competitiveness and sustainability.

[Translation]

Together, the Government's actions will ensure Canada's future success.

With the efforts and contributions of members from both chambers, the Government looks forward to making this Parliament work for the benefit of the Canadian people.

Members of the House of Commons:

You will be asked to appropriate the funds required to carry out the services and expenditures authorized by Parliament.

[English]

Honourable Members of the Senate and Members of the House of Commons:

May Divine Providence guide your deliberations.

[Translation]

The sitting of the Senate was resumed.

RAILWAYS BILL

FIRST READING

Hon. Gerald J. Comeau (Deputy Leader of the Government) presented Bill S-1, relating to railways.

Bill read first time.

[English]

SPEECH FROM THE THRONE

CONSIDERATION AT NEXT SITTING

The Hon. the Speaker: Honourable senators, I have the honour to inform you that Her Excellency the Governor General has caused to be placed in my hands a copy of her Speech delivered this day from the Throne to the two Houses of Parliament. It is as follows —

Hon. Senators: Dispense.

The Hon. the Speaker: Honourable senators, when shall this speech be taken into consideration?

[Translation]

Hon. Gerald J. Comeau (Deputy Leader of the Government) moved:

That the Speech of Her Excellency the Governor General, delivered this day from the Throne to the two Houses of Parliament, be taken into consideration at the next sitting of the Senate.

Motion agreed to.

COMMITTEE OF SELECTION

MOTION TO APPOINT—DEBATE ADJOURNED

Hon. Gerald J. Comeau (Deputy Leader of the Government) moved:

That, pursuant to rule 85(1), the Honourable Senators Austin, P.C., Bacon, Carstairs, P.C., Champagne, P.C., Cook, Fairbairn, P.C., Oliver, Stratton and Tkachuk be appointed a Committee of Selection to nominate (a) a Senator to preside as Speaker *pro tempore* and (b) the Senators to serve on the several select committees, except the Committee on Conflict of Interest for Senators, during the present Session. The Committee of Selection will report with all convenient speed the names of the Senators so nominated.

[English]

The Hon. The Speaker: Is it your pleasure, honourable senators, to adopt the motion?

On motion of Senator Stratton, debate adjourned.

The Senate adjourned until tomorrow at 2 p.m.

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CANADA

Debates of the Senate

1st SESSION

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39th PARLIAMENT

•

VOLUME 143

•

NUMBER 3

OFFICIAL REPORT
(HANSARD)

Wednesday, April 5, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER



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Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

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THE SENATE

Wednesday, April 5, 2006

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

TRIBUTES

THE LATE HONOURABLE C. WILLIAM DOODY

The Hon. the Speaker: Honourable senators, we have received a notice from the Leader of the Government, who requests, pursuant to rule 22(10), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the late Honourable Senator Doody, whose death occurred on December 27, 2005.

I remind senators that, pursuant to our rules, each senator will be allowed only three minutes and they may speak only once. Furthermore, the time for so doing should not exceed 15 minutes.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I rise today to pay tribute to one of our colleagues, William "Bill" Doody, who passed away on December 27 of last year. Senator Doody enjoyed a long career, both here in Ottawa and especially in his home province of Newfoundland and Labrador. Shortly after his death, Premier Danny Williams praised him as a strong advocate for Newfoundland and Labrador who made an invaluable contribution in shaping the province that we see today.

William Doody was widely credited as having been instrumental in building the success of the Progressive Conservative Party in Newfoundland and Labrador in the 1970s. He was elected three times to the Newfoundland and Labrador House of Assembly, beginning in October 1971, at a time of considerable political upheaval in that province. He served in the province's first Progressive Conservative cabinet under then Premier Frank Moores, along with another of our former colleagues, the late Gerald Ottenheimer. Throughout his eight years in the provincial legislature, Bill held various cabinet posts, including Minister of Mines, Agriculture and Resources, and Finance Minister. He was deeply involved in jurisdictional issues relating to Newfoundland and Labrador's offshore resources, which remains of paramount importance to the province to this day.

In 1979, a few months after Bill retired from provincial politics, former Prime Minister Joe Clark appointed him to the Senate. From 1984 to 1991, he served as the Deputy Leader of the Government in the Senate. During his time in this chamber, Senator Doody worked to advance the best interests of Newfoundland and Labrador at the federal level. He brought considerable wisdom and experience to his work in this place, which was especially evident — and some of us will remember

this — during the heated GST debate. He could also be quite vocal in raising his concerns, as he was during the debate which amended the Terms of Union between Newfoundland and Labrador and Canada, which ended the province's denominational education system.

I know I speak for all honourable senators in saying that we thank Senator Doody for his many years of service to the country. We will all miss him very much. On behalf of all the Conservative senators, I offer our condolences to his family — his wife, Doreen; his daughter, Christine; and his sons, Liam and Steven.

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, on behalf of those of us on this side of the house, I wish to express our feelings of deep sadness at the loss of our former colleague Senator Doody, known to us all fondly as "Bill." He died, to me unexpectedly, just after Christmas, at the age of 74; much too young.

Senator Doody was a dedicated, loyal and hard-working man who had earned the respect and high acclaim of his colleagues, friends and contemporaries as a result of his long and distinguished record of service both to Newfoundland and to Canada.

As has been recounted, Senator Doody was appointed to this place in 1979 by then Prime Minister Joe Clark, prior to which he was a successful businessman, political organizer and provincial politician, having served in the Newfoundland and Labrador House of Assembly with energy and distinction from 1971 to 1979. His skills, experience and tireless passion for politics were put to good use by successive Newfoundland premiers who appointed him to several senior portfolios, including that of finance.

Senator Doody brought a wealth of experience and skills to this place. Those of us who were here for the goods and services tax debate will remember the patience of Senator Doody in dealing with his counterpart on the opposition side — a position I now hold — Senator Royce Frith. There were times when they stopped speaking to one another, but I am pleased to say that they reconciled and had at least a distantly cordial relationship even after that trying experience.

When Senator Frith died, I remember Senator Doody rising in tribute and sharing a humorous event involving Senator Frith, who constantly played computer chess. I think it was Senator Doody who arranged to go into his office and make moves, unbeknownst to Senator Frith, which I found typical of the humorous side of our former colleague.

Senator Doody did a great deal to make his province and our country a much better place. His departure came as a shock to all of us. On behalf of his colleagues in this place, both present and past, I offer his wife, Doreen, as well as his children and grandchildren, our sincere sympathies.

• (1410)

Hon. Lowell Murray: Honourable senators, as Deputy Leader of the Government during seven long years, Bill Doody opened this chamber every sitting day and closed it every night, sometimes very late at night. The deputy leadership of the government, as those who have held the position will attest, and as Senator Comeau is about to learn, is the most thankless and difficult job in this place. Senator Doody held it during a time of unprecedented confrontation and partisanship in the Senate, and he conducted himself flawlessly.

By 1991, he had well earned the right to ask to be relieved of those responsibilities. He soon became chairman of the Canadian section of the Commonwealth Parliamentary Association and was a most visible and active Canadian presence in the affairs of the CPA all over the world.

He had been a respected cabinet minister in his province and was widely regarded as the strong and able mainstay of his government. He was an ardent Newfoundlander, steeped in its history and culture. Nine years ago, Senator Doody was one of the speakers at ceremonies in Beaumont Hamel when the government designated that 1916 battlefield, together with Vimy in France, as a national historic site.

He said:

All parts of Canada gave of their sons in that war. I know Vimy is the big event for most, but in terms of my background, my history and my traditions, there is no shrine more sacred than Beaumont Hamel.

If Senator Doody were with us today, I am sure he would be among those pressing the government to arrange a suitable remembrance at the National War Memorial next July 1, the ninetieth anniversary of Beaumont Hamel, before we proceed with the customary celebrations of Canada Day.

At his funeral in St. Patrick's Church Fallowfield, his son Liam delivered a brief but masterful appreciation of his father's qualities. "His opinions were always notable for their careful consideration of all sides of an issue, a trait not commonly seen in our increasingly polarized world," — to which, by way of perfect illustration, I would refer, as Senator LeBreton has done, to Senator Doody's brilliant speeches in this chamber in 1996 and 1997 on the constitutional amendment regarding the Newfoundland and Labrador education system.

As Leader of the Government in the Senate during most of Senator Doody's time as deputy leader, and as his seatmate on the opposition benches in more recent years, you will understand that I feel I have more reason than anyone here to remember him with profound gratitude as well as with admiration and affection.

Hon. Bill Rompkey: Honourable senators, recently, Newfoundland and Labrador declared the first surplus in decades, due mostly to revenues from offshore oil. Bill Doody gets some share of the credit for those revenues because, in his first portfolio with the Moores administration in 1971, he challenged federal jurisdiction over the offshore.

It could be said that he went from running two St. John's supermarkets to being a super minister because his next portfolio was finance. Clearly, he knew the importance of the bottom line, and he was tough with his colleagues in enforcing controls on spending. He had to say no to some of the major initiatives of his colleagues and he did. In fact, far from a flamboyant man, he played a major role in a unique moment in our province's history, the first government after Smallwood's Liberals.

In his own quiet yet determined way he did so much to build the party and the reputation of the government. The esteem in which he was held was clear in the Conservative leadership convention when he lost to Brian Peckford by only 30 votes. He showed the same kind of strength when he tabled, as Deputy Leader of the Government in the Senate, the motion to end debate on the Liberal filibuster over the GST.

He was an able man who knew the issues and could debate them with force and vigour. I recall that on the issue of denominational schools in our province, he and I were on opposite sides, but he defended his position, as Senator Murray has said, with great knowledge and great skill. Here in the Senate he was highly regarded by his colleagues on both sides.

What I will remember most was the man himself and his sense of humour. He understood the ebb and flow of fortune and the fickleness of fate, and he was able to laugh at life with his own wry sense of humour, couched often in the caustic quotes of a well-stocked mind. I always enjoyed meeting him. We would greet each other with some mock title, such as Your Lordship or Your Eminence, and he would stop then and comment on the affairs of the day and the proposals of the mighty with great humour and sagacity. He knew the wisdom of the line of Robbie Burns that "the rank is but the guinea's stamp, the man's the gowd for a' that."

Honourable senators, Bill Doody was an outstanding public servant. He gave the Queen more than full value for the shilling he took; and he gave in full measure until he could give no more. I salute him and I offer my deepest sympathy to Doreen, the British nurse he married in St. John's, and to his children Liam, Steven and Christine.

Hon. Norman K. Atkins: Honourable senators, I wish to join those who speak in remembrance of our colleague William (Bill) Doody who passed away on December 27, 2005.

During the fall of this past year, when I was in a hospital in Fredericton, New Brunswick, I received a bouquet of flowers from Bill and his wife, Doreen. What amazed me was that, clearly, he was dealing with his own major health issues and yet he was worried about me. At his funeral, his son spoke of his love of family and friends, and it was obvious, if one knew him, that he was loyal to both.

I first met Bill when he ran for the provincial leadership against Brian Peckford in Newfoundland and Labrador. When Peckford won the leadership, he immediately called an election and Bill was asked to be the honorary campaign chair, which he agreed to do. It was not long after that 1979 election win that Joe Clark, who had recently become Prime Minister, appointed Bill to the Senate, filling a vacancy in Newfoundland and Labrador.

Bill had a long and distinguished career, both provincially and federally. He clearly was a statesman and displayed that as Deputy Leader of the Government in the Senate, as well as with his service on a long list of standing Senate committees. When I was chair of caucus, he was always helpful to me. He was an able and astute politician whose experience and wisdom we will clearly miss in this place.

Honourable senators, we have lost a great Canadian and friend, but he will live on in our hearts and memories. To his wife, Doreen, and family, whom he so dearly loved, I wish to express my heartfelt condolences for the loss of a wonderful husband and father.

• (1420)

Hon. Ethel Cochrane: Honourable senators, I rise today as well in honour of our former colleague, Senator Bill Doody, who passed away, as others have said, on December 27, 2005. Senator Doody was a true dean of this place, the Senate, and a well-known political figure in my province.

He served the people of Newfoundland and Labrador for more than 30 years. He was first elected to the provincial House of Assembly in 1971. Not long afterwards, he was appointed to serve in the cabinet of Frank Moores, and it was here that Bill truly excelled.

He was known for his tireless efforts in each of the challenging portfolios that he commanded. Over the years, Bill served as Minister of Mines, Minister of Agriculture and Resources, and Minister of Finance in the Moores government. He also served in Brian Peckford's cabinet as Minister of Mines and Energy.

When I arrived in Ottawa, I remember being impressed by our then Deputy Leader of the Government in the Senate. I looked to him for guidance. He was among the most astute politicians that I have ever known. He was incredibly well versed in issues of finance, and even more importantly, he could express the most complex issues and arguments in clear language that anyone could understand.

It was evident to me then that his colleagues liked to hear him speak, and many of us readily sought his perspective on issues. I was also delighted by his quick wit and his endearing sense of dry humour.

Honourable senators, with the passing of Senator Bill Doody, our province of Newfoundland and Labrador, and our people, have lost a remarkable ambassador whose contribution was great, and Canada has lost a great Canadian.

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I respectfully ask that you all rise and join me in a minute of silence.

Honourable senators then stood in silent tribute.

[Senator Atkins]

[Translation]

THE LATE HONOURABLE SHIRLEY MAHEU

The Hon. the Speaker: Honourable senators, under rule 22(10), the Leader of the Government has asked me to have the period set aside for senators' statements extended today to pay tribute to Hon. Senator Shirley Maheu, who died on February 1, 2006.

Under the rule, I remind honourable senators that their remarks may be no more than three minutes in length, that no senator may speak more than once and that they have 15 minutes in all.

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, with deep sadness, I pay tribute today to a friend and colleague, Hon. Shirley Maheu, who died on February 1 following a long and courageous fight against cancer.

I will always remember Shirley Maheu as a lady with a big heart and a multitude of friends and admirers thanks to her charm, compassion, refinement and even her political instincts.

It was my pleasure to know and work with her for many years. On many occasions and until quite recently, I was honoured to share with her the responsibility of presiding over our meetings. I was always able to count on her support, her advice and her friendship.

She was known for her tireless devotion to the community and worked with many charitable organizations, including the Red Cross and the Canadian Cancer Society. She was also involved in the creation of the group Carrefour multiethnique to provide assistance to refugees and immigrants.

[English]

Elected to the House of Commons in 1988, after serving Saint-Laurent for six years as a municipal councillor, Shirley was re-elected in 1993. In 1996 she was summoned to the Senate and became Speaker *pro tempore* in October of 2004, and she filled the position with poise, skill and dedication.

Shirley was extremely proud to represent her province in the Senate, just as she had been proud to represent Saint-Laurent—Cartierville, a riding known for its diversity of language, culture and religion. Always the loyal Canadian, Senator Maheu subscribed to the values of tolerance, social justice and pluralism. She knew very well from her life experience the advantage of having two official languages and a diverse population working together and meeting the challenges of building our great country.

Those who attended her funeral service in Montreal on February 4 were filled with pride and admiration for our valued colleague as Canada's national anthem was played one last time, accompanying her casket as she left Saint-Sixte Church for her final resting place.

[Translation]

I am joined by all senators in expressing our sorrow and our deepest sympathies to her husband René, her children and her grandchildren.

[English]

We wish her a fond farewell.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, today we pause to pay tribute to one of our colleagues, Senator Shirley Maheu, who passed away February 1.

For many years, Shirley ably represented the interests of her beloved home province of Quebec, first in the other place and then in this chamber. Long before she entered federal politics, Shirley Maheu led an accomplished life. Along with her husband René, she operated an insurance brokerage firm. Out of that experience, she became a founding member of the Saint-Laurent Chamber of Commerce and was an active member of such organizations as the Insurance Brokers Association of Quebec. In addition to her professional pursuits, she also served as the honorary president of the Saint-Laurent chapter of the Red Cross Society.

In 1982, Senator Maheu entered a new phase of her life when she was elected to the Saint-Laurent city council. Six years later, she decided to take on federal politics. She enjoyed great success in the other place, as she was twice elected to the House of Commons to represent the people of Saint-Laurent—Cartierville.

Honourable senators, it is a sad irony that Senator Maheu passed away 10 years to the very day of her appointment to this place. During a decade of public service in the Senate of Canada, she made valuable contributions to many committees, including two that she chaired — the Standing Senate Committee on Privileges, Standing Rules and Orders, and the Standing Senate Committee on Human Rights. As we all know, for the past year and a half she served admirably in the Senate chamber as Speaker *pro tempore*.

Senator Maheu was a hard-working and dedicated member of the Senate of Canada and was deeply committed to her political party, her province and her country. We will not soon forget how Senator Maheu helped to advance the federalist cause in Quebec over the course of several decades. It goes without saying that these fine qualities, among others, will certainly be missed by many people across the country.

On a personal note, even though we were political opposites, Shirley and I enjoyed a very high personal respect and friendship for each other, and I was sad indeed when I learned of her passing. On behalf of all Conservative senators, I wish to offer our sincere condolences to Senator Maheu's large circle of family and friends.

• (1430)

[Translation]

Hon. Lise Bacon: Honourable senators, when I think of Senator Shirley Maheu I instantly think of the expression "courage in the face of adversity." That expression truly does Shirley Maheu justice. Often it is said that a person only gives the best of themselves when they have to overcome an obstacle or a challenge. Well, that was certainly the case for Shirley.

She was a true fighter and her two greatest weapons were tenacity and determination. When she set a goal for herself she always saw it through.

Shirley was profoundly humane and an approachable politician. She was close to people, to those she represented in particular, as municipal councillor for Saint-Laurent, as the Member of Parliament for Saint-Laurent—Cartierville and later as a senator. She came to political life through her active involvement in various socially oriented community agencies.

Her political adventure began when she successfully sought election to the Saint-Laurent municipal council in 1982. This decision was undoubtedly an altruistic gesture, since Shirley primarily wanted to serve her community. Those who knew her well know that she was always at the ready, whether to comfort victims of a fire or lend a hand in developing a new business.

[English]

She was resolutely federalist and very attached to Canada, for she believed that Canadian federalism was the best political system for both Quebec and the rest of the country. She was very active during the two referendums held in Quebec. She never stopped trying to convince her fellow citizens of Canada's advantages. She did it with great passion and conviction. An anglo-Quebecer, she was also an enthusiastic proponent of bilingualism and the protection of language rights of each minority in Canada.

[Translation]

She was an activist and ready to defend those who are most vulnerable. Whether she was defending seniors or immigrants, it must be said that she fought a lengthy battle for the equality of all.

We will remember Shirley as a champion of the right to equality. We will also remember her as a people person, who was approachable and generous. We will keep dear to our hearts the memory of what our colleague and friend represented most to us: a woman of courage, conviction and action. We sympathize with René, Ronald, Richard, Daniel and Marc in their loss.

[English]

Hon. Catherine S. Callbeck: Honourable senators, as we all know, we lost an esteemed colleague from this chamber on February 1. Senator Maheu's contributions to Canadian public life were tremendous. Several senators have spoken about her many achievements throughout her political career. As a councillor, member of Parliament and senator, she gave so much of herself to her community, her province and her country.

Knowing of her great personal strength, I was not surprised that at the time of her death on February 1, she had already booked her trip for our caucus meeting taking place that day. She had been determined to get back to Ottawa to continue her good work and to support the party to which she had given so much.

I know that I will certainly miss her great presence in this chamber, and I appreciate the time that I was able to spend with her. I offer my deepest condolences to her husband, René, and her four sons, Ronald, Richard, Daniel and Marc. I remember with great fondness Shirley's hard work, perseverance and good heart. We have lost a good friend and a great Canadian.

Hon. Michael A. Meighen: Honourable senators, I should like to associate myself with the remarks made about our colleagues Senator Bill Doody and Senator Shirley Maheu. I would have spoken myself, but I do so by associating myself with the earlier remarks and will speak about something else today.

Senator Cools: You will have to wait until tributes are finished.

[Translation]

Hon. Lucie Pépin: Honourable senators, Senator Maheu left us on the first day of February. Her death leaves a gaping hole in the hearts of all who were close to her for so many years.

I have lost not just a colleague, but a friend. I will remember Shirley as a woman who loved life. Her perpetual smile and delightful sense of humour identified her as someone who always saw the positive side of life. No matter what the task or how hard it was, she did it right and with good humour.

Shirley's stoicism in her pain taught us a lesson in courage. She knew her illness would have the upper hand, but she did not let that stop her or prevent her from living. She continued to travel up to a few weeks before her death. Her illness did not keep her from her work, either. She sat in the Speaker's chair in this chamber on the last sitting day of the Thirty-eighth Parliament.

Although she was in the middle of chemotherapy, she was determined to get to our national caucus on February 1. When I spoke to her two days before, she told me she had arranged everything in order to be in Ottawa. She passed away, unfortunately, the very morning of the meeting.

Shirley was an insurance broker by profession. She dedicated her entire life to public service. As was mentioned earlier, she was a municipal councillor in Ville Saint-Laurent, then an MP for the federal riding of Saint-Laurent and then a senator, as of 1996. In both the House of Commons and the Senate, she held a number of positions of responsibility, testimony to the confidence her colleagues placed in her.

A truly federalist Quebecer, Shirley was committed to defending all human rights and fighting all forms of injustice. She considered it a sacred trust to improve the daily lives of her fellow citizens.

Shirley, you have gone, but you have left us with your inspiration to continue to help those less fortunate than us. And when we think of you, it will be with a smile.

Hon. Marcel Prud'homme: Honourable senators, I wish to concur with the remarks made by all of our colleagues.

I knew Senator Doody as a deeply religious man of conviction. He defended Newfoundland's school system to the very end. Things turned out otherwise and he felt a deep sense of regret. I understood his attachment to his religious system, which disappeared with a constitutional amendment that we debated in the Senate as long as we could. I too want to offer my sincere condolences to his family.

As for Shirley, I was the Member of Parliament for part of the same riding when there were no women on the Saint-Laurent municipal council. I always had the same argument with Mayor Lorrain, which consisted in repeating to him that we needed to have women on the council. It was wrong not to. I was with the mayor when Shirley became a municipal councillor in 1982. As luck would have it I was a member of the electoral commission in 1988 when the electoral districts were divided and it was decided, which made me very happy, that Ms. Maheu would become our Liberal Member of Parliament.

I was with her in Paris when she found out in the middle of the night that she was being offered a position — I am looking at her family, they know all these secrets — which was not necessarily in the Senate. Senator Bacon described her as a woman who was always strong and determined, who had the strength of her convictions and who was convincing. We spoke at length about what her next political move should be. That is how it was decided in Paris that she would become senator while Mr. Cauchon would become minister — which probably did not make many people happy, but certainly gave a boost to the Canadian delegation when one of its members became a minister and another a senator.

• (1440)

I will remember Shirley for her devotion to her electors and her riding. I would concur with the remarks of one of her great friends, Senator Bacon. I know of their friendship and I would echo what she had to say. I join with her in offering my sympathies to Mr. Maheu and his four sons. Mr. Maheu is an extraordinarily dynamic man, very involved in all aspects of life in Saint-Laurent.

As the Honourable Speaker mentioned earlier, I too, would say that I had never heard our national anthem, *O Canada*, resound with such vigour as it did on the day we attended her funeral at Saint-Sixte church.

[English]

Hon. Ethel Cochrane: Honourable senators, I too rise in tribute to my friend and former colleague, the Honourable Shirley Maheu, who passed away in February.

Throughout her life, Senator Maheu devoted herself to public service. She first served the people of Montreal as a councillor before deciding to run for Parliament in 1988. She went on to represent the riding of Saint-Laurent—Cartierville and was subsequently called to this place in 1996.

Her successor in the other place, the Honourable Stéphane Dion, described Senator Maheu as "a goddess in her riding." He said she was dedicated to the idea of multiculturalism. She was more than tolerant and respected every one of her constituents.

Those of us who knew her certainly agree with those sentiments, but we can also attest to her straightforward approach and strong work ethic. Her devotion and dedication to her party and people was simply unmatched.

Following Shirley's death, we learned that she had plans to be at a caucus meeting in Ottawa on the day she died. I am told that throughout her brave battle with cancer, which lasted a year and a half, she refused to miss a single caucus meeting. I wonder how many of us would share that remarkable level of commitment under such trying circumstances.

I extend my sincere condolences to Shirley's husband, René, and their four sons. I know her legacy will continue to live on among the people she so proudly represented, and here in this place she will be warmly remembered and remain in the hearts of all those she has touched.

[Translation]

The Hon. the Speaker: Honourable senators, I would ask you to rise and join with me in observing a minute of silence in honour of our colleague, Senator Maheu.

Honourable senators then stood in silent tribute.

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, we are pleased to have present in our gallery the family and friends of Senator Doody and Senator Maheu.

From Senator Doody's family, present are his wife Doreen, his sons Liam and Steven, and his daughter Christine.

From Senator Maheu's family, present are her husband René and sons Ronald, Richard, Daniel and Marc.

Also present is the Honourable Stéphane Dion, a close friend of Shirley's, and Mr. Gérard Lambert, a friend of Mr. Maheu.

We thank the members of the respective families for being in the Senate gallery during our modest tribute to our former colleagues.

VIMY RIDGE

EIGHTY-NINTH ANNIVERSARY

Hon. Michael A. Meighen: Honourable senators, in the history of every nation there exist significant moments that help to shape its people. For our country, one of those seminal moments occurred at dawn on April 9, 1917, when Canadian soldiers began their successful assault on Vimy Ridge. Many believed Vimy to be an invincible fortress. Previous French and British attacks had been thrown back. Now it was time for the Canadians to give it their best.

The operation brought together for the first time the four divisions of the Canadian Corps. Soldiers from every province, all nine as they then were, fought at Vimy Ridge, and no less than four Victoria Crosses were awarded to Canadians in the course of that single action.

The father of our esteemed colleague, Senator Norman Atkins, fought at Vimy Ridge as a member of the 46th (Queens) Battery of the Canadian Field Artillery. Fortunately, Gunner George Atkins kept a personal diary for posterity. On that date his entry was:

Put over a barrage this morning at 5 o'clock. The Canadians took Vimy Ridge a flying. Took a lot of prisoners, etc.

How very Canadian. That is an understatement personified.

Fourteen years ago, Senator Atkins and I had the distinct honour of attending the seventy-fifth anniversary celebration of the Battle of Vimy. We were both deeply moved by that ceremony, which was presided over by both Prime Minister Brian Mulroney and by the President of the French Republic, François Mitterrand.

When I think back to our visit, these words, from Pierre Berton's book *Vimy*, come to my mind:

They lay out...in no man's land, twenty thousand young men of the first wave, stretched out along the four-mile front, crouching in the liquid gruel of the shallow assault trenches or flat on their bellies, noses in the mud, holding their breath for the moment of the assault.

[Translation]

I am delighted that Canada's remarkable monument at Vimy is currently undergoing a major restoration, essential work that should be completed by December 2006. A rededication ceremony will be held on April 29, 2007, on the 90th anniversary of the battle. The memorial commemorates the 3,598 Canadian soldiers who fell on the field of battle and the 7,104 who were wounded there. Perched at the top of Hill 145, it is the largest Canadian war memorial and a symbol of our national spirit. Those who have the opportunity to visit Vimy will find the visit deeply moving and unforgettable.

[English]

Honourable senators, let us pay tribute, some 89 years on, to this courageous achievement and pause to remember the sacrifices of those young soldiers who paid the ultimate price to secure our freedom, a task that continues even to this day.

THE LATE CORPORAL PAUL DAVIS

TRIBUTE

Hon. Jane Cordy: Honourable senators, it is with sadness that I rise today to remember the life of Cpl. Paul Davis of Nova Scotia, who lost his life serving Canada in Afghanistan. On March 2 of this year, Cpl. Davis was killed in an accident while on patrol just west of Kandahar.

Paul was known as "Smiley" to his childhood friends because he was always happy and always smiling. He grew up in Sackville and Bridgewater in Nova Scotia. Cpl. Davis had been in the military for about eight years. He served in Bosnia during that time and had trained with JTF2. He was a member of B Company, Princess Patricia's Canadian Light Infantry based in Shilo, Manitoba.

A few weeks after Cpl. Davis had been deployed, I was speaking with his father Jim, a friend of mine. He was telling me how worried he was about his son being in Afghanistan, but he also told me that Paul was excited and happy to be serving his country. He told his father that this is what he had been trained to do. In fact, Paul had turned down a promotion and instead volunteered to go to Afghanistan.

• (1450)

Corporal Davis died in service to his country doing what he wanted to do. Jim Davis said this about his son: "I'm extremely proud of him. There's no question about that at all."

Honourable senators, I believe we should all be proud, not only of Cpl. Paul Davis, but also of all the wonderful men and women who serve in the Canadian Forces. They put their lives at risk to protect us and our democracy. They also serve on dangerous missions such as in Afghanistan where they are working to bring peace, security and freedom to the Afghan people.

My heartfelt condolences go to Corporal Davis's wife, Melanie, and their two children in Manitoba and to his family in Nova Scotia. My thoughts and prayers also go out to the family of Master Corporal Timothy Wilson of Grande Prairie, Alberta, who was also killed in this accident.

OLYMPIC WINTER GAMES 2006

CONGRATULATIONS TO TEAM GUSHUE, CURLING GOLD MEDAL WINNERS

Hon. Ethel Cochrane: Honourable senators, I rise today to again extend my congratulations to Team Gushue on their historic gold medal victory at the 2006 Olympic Winter Games in Torino, Italy.

In February, Brad Gushue, Jamie Korab, Russ Howard, Mark Nichols and Mike Adam, together with their coach Toby McDonald, made sporting history in Canada by bringing home our first Olympic gold medal in curling.

However, for the people of Newfoundland and Labrador, their victory means far more than that. In addition to being the first Newfoundlanders and Labradorians to receive gold medals at the Winter Olympics, they have also inspired a new confidence and a sense of pride in the people of my province, especially among our youth.

On the day of the gold medal match-up with Finland the province came to a virtual standstill. Students were given the afternoon off, and many people left work early so they could gather around their televisions to support their team. Days later, when the team arrived home following the games, an estimated 2,000 fans were at the airport to greet them, many of whom travelled hours to be there.

A gold medal is the ultimate symbol of excellence and is an outstanding accomplishment for any athlete. However, for a province as geographically isolated and as small in population as mine it is all the more impressive. It is truly a testament to these curlers and their community that they developed their skills to the highest possible level.

Honourable senators, I thank Team Gushue for serving as a powerful example to all Canadians, not only our athletes, of the great achievements that follow from hard work and dedication. These fine men have shown that we can compete with the best of the best and win. I commend them for being positive role models for our youth as well as outstanding ambassadors for Canada and Newfoundland and Labrador.

[Translation]

THE TOLERANCE FOUNDATION

TENTH ANNIVERSARY

Hon. Yoine Goldstein: Honourable senators, I am pleased to announce that today marks the 10th anniversary of the creation of the Tolerance Foundation, which I have the honour to co-chair.

Founded in 1996, the Tolerance Foundation is a non-profit socio-educational organization whose mission is to inform and raise awareness among high school students aged 13 to 17 about the dangers inherent in intolerance, prejudice, racism and discrimination in all its forms.

Through its school activities, the Tolerance Caravan, interactive theatre and educational tools for youth, the Tolerance Foundation is working to create a more inclusive Canada.

For the past 10 years, the Caravan has crisscrossed Quebec and connected with more than 120,000 young students in 100 high schools. In March 2006, the Caravan travelled to Alberta, visiting Calgary and Edmonton schools. A new English-language caravan is in the works, and it will tour English-language schools across Canada.

The Tolerance Foundation is very honoured that the Honourable Senator Roméo Dallaire has agreed to be the Honorary Chair of the 10th anniversary of the Foundation. He will speak to us about tolerance at our annual general meeting this coming Monday.

[English]

Honourable senators, tolerance is a passive state. While it reflects mere acceptance of differences, acceptance or tolerance of differences is not enough. Our goal is to instill a realization that diversity in our society is a significant value, that diversity is to be celebrated, that diversity is to be actively valued and not merely accepted. La Fondation de la tolérance has been on this journey for 10 years. Hopefully, before the passage of a further 10 years we will reach that destination: the celebration of diversity, the celebration of differences, as fundamental, positive societal values and not causes of division.

THE HONOURABLE LORNA MILNE

CONGRATULATIONS ON SUCCESS OF EFFORTS TO AMEND STATISTICS ACT REGARDING CENSUS RECORDS

Hon. Joseph A. Day: Honourable senators, I would like to take this opportunity to remind honourable senators that they and this Senate can indeed make a difference.

That fact was recently illustrated by an important initiative spearheaded by our honourable colleague Senator Milne regarding amendments made to the Statistics Act under Bill S-18. The bill has enabled increased access to both past and future census records. It is an excellent example to all senators and to Canadians in general of the kind of work senators are performing in order to benefit Canadian society.

One of the key provisions of the bill allows for the release of personal census records from censuses taken between 1911 and 2001 after a 92-year waiting period. In addition, starting in the 2006 census year, Canadians will be able to decide if they will allow their personal census information to be released publicly after a period of 92 years. As a result, individual census records would be released only where consent has been given.

To briefly review the bills' timeline, individual returns for the 1901 census were released by the government 92 years later, in 1993, in accordance with the Privacy Act regulations. In 1997, Statistics Canada announced that it had concerns about privacy guarantees and therefore would not release any further census returns, despite the fact that for roughly 250 years returns had been made available to the public through National Archives.

Senator Milne took up the cause on behalf of historians and genealogists in 1998 through an inquiry in this chamber. Then, in December of 1999, Senator Milne sponsored her first of several private bills in the Senate to legislate the desired changes.

My first recollection after arriving in the Senate was the continuous filing of petitions to bring this important issue to the attention of the government.

Thank goodness that we have governments that, upon reflection, can change their minds. After consideration, the government decided that it could release the census statistics and was able to release the 1906 census records immediately. Parallel to this decision was the government's announcement that it would introduce a bill to govern the release of census records in the future.

• (1500)

While the first effort was not what stakeholders were looking for, Senator Milne persevered and, ultimately, a new bill was brought forward and began its journey in this chamber.

Honourable senators, a number of concerns had been raised about privacy, which was one of the objections made to Bill S-18.

No complaints to date have been filed with the Privacy Commissioner, and as of the present time, there are over 800,000 hits per day to the archives with respect to the information.

Honourable senators, this has been a huge success for this chamber.

Hon. Senators: Hear, hear!

THE HONOURABLE NOËL A. KINSELLA

CONGRATULATIONS ON APPOINTMENT AS SPEAKER

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I am very pleased this afternoon to say a few words of congratulations to the new Speaker of the Senate, the Honourable Senator Noël Kinsella.

On February 8, Prime Minister Stephen Harper appointed Senator Kinsella as Speaker, and in so doing said: "Senator Kinsella is respected on both sides of the Senate as an eminent and experienced parliamentarian and I am confident that he will be an excellent Speaker of the Senate." I wholeheartedly agree with the Prime Minister's words, as undoubtedly all honourable senators do as well.

As Senator Hays demonstrated during his time in the chair, the role of Speaker of the Senate requires a great deal of even-handedness, courtesy and composure. Throughout his almost 16 years of service in the Senate of Canada, Senator Kinsella has consistently demonstrated these qualities. He has always displayed a calm disposition, even in the most heated debates, and his steady influence has long been a tremendous benefit to those privileged enough to serve in this place.

Senator Kinsella's deep and abiding respect for the *Rules of the Senate of Canada* also make him extremely well-suited to this new position. After all, the Speaker of the Senate is charged with the responsibility of preserving order and decorum in this chamber. I sincerely hope His Honour will not find that too big a challenge in the weeks and months ahead.

Senator Kinsella has an extensive human rights background, most notably for the Province of New Brunswick as the head of the New Brunswick Human Rights Commission and the Atlantic Human Rights Centre at St. Thomas University. His vast knowledge and experience in this area will serve him well in fulfilling another of his responsibilities, because, in addition to carrying out the duties as a representative of one's own province, the Speaker must also fulfill a diplomatic role, receiving visiting heads of state and other dignitaries, and often travelling abroad as a representative of the Canadian Parliament and/or the government.

Honourable senators, I am certain that the Speaker will perform these duties to the best of his ability, and I extend to him our congratulations and very best wishes.

[Later]

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I wish to join with Senator LeBreton in saying a few words about the new Speaker, Senator Kinsella.

Besides being a renowned scholar, human rights activist and consummate diplomat, he has great knowledge of his chamber, as well as its practices, precedents and conventions. He has served this institution with unfailing dedication since 1990, as whip, deputy leader and Leader of the Opposition, and I am convinced that the experience he gained in those positions will assure us all that he will serve us well as Speaker.

As a former Speaker, I know that Senator Kinsella has those skills necessary to discharge his duties. I have every confidence he will represent our institution, not only here with his presence in the chair, but elsewhere, with poise, and perform exceptionally well in his new capacity. I know he will be well served by the support and wise counsel of his wonderful wife, Ann. I know I speak for all in this room when we wish you both every success.

Hon. Senators: Hear, hear!

THE HONOURABLE MICHAEL FORTIER

CONGRATULATIONS ON APPOINTMENTS TO SENATE AND CABINET

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I would also, with great pleasure, like to introduce this afternoon our new colleague, the Honourable Michael Fortier.

Hon. Senators: Hear, hear!

Senator LeBreton: Senator Fortier will represent the senatorial division of Rougemont in the Province of Quebec.

Prior to being summoned to the Senate of Canada, Senator Fortier built a successful career as a financier and lawyer, not only in Canada, in the province of Quebec, but also abroad.

He is well known to members of the Conservative Party, most notably as a candidate in the 2000 federal election and as the national campaign co-chair for the general election of 2005-06. I am confident that the combination of professional experience, accomplishment and public service will be a most valuable asset to Senator Fortier as he faces the challenges of his new career in government.

Senator Fortier holds an important portfolio within the federal cabinet, that being Minister of Public Works and Government Services. In addition to carrying out his duties as a minister of the Crown, he will be a much-needed voice at the cabinet table for the people of the greater Montreal area.

Our new Prime Minister, the Right Honourable Stephen Harper, has expressed total confidence in Minister Fortier's ability to be accountable to Parliament and, therefore, to the Canadian people during his time in the Senate of Canada.

I know I speak for all honourable senators in extending my congratulations and best wishes to Senator Fortier. I wish him every success as he takes on his new responsibilities.

Hon. Senators: Hear, hear!

[Later]

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I, too, would like to say a few words of congratulations and welcome to our new colleague.

[Translation]

A very warm welcome to our new colleague, Michael Fortier, the senator from Rougemont, who will sit with us as Minister of Public Works and Government Services Canada.

[English]

Though he is new to our chamber, Senator Fortier is no stranger to politics. A key Conservative Party organizer for 10 years or so, his political involvement and credentials are impressive for such a relatively young man.

In 1998, for instance, following Jean Charest's departure for provincial politics, Senator Fortier ran to succeed him as leader of the then Progressive Conservatives. Though he was not successful in replacing Mr. Charest, he remained a strong party loyalist and organizer, running as a candidate in Laval West in 2000.

[Translation]

More recently, Mr. Fortier co-chaired Mr. Harper's campaign for the leadership of the new Conservative Party in 2003, and he co-chaired the party's national campaign during the recent general election. In that regard, I will say that the activities that led to his appointment to the Senate are part of a long tradition.

[English]

Besides impressive political credentials, Senator Fortier brings considerable professional talent and experience to the chamber. I am certain that his skills as a lawyer specializing in, among other things, securities, mergers and acquisitions — in addition to being a corporate financing director — will serve him well in discharging his new duties both as a senator and as a minister.

Although his appointment raised some eyebrows, I see it as an example of our chamber's importance in helping governments respect the federal principle. It confirms that even the harshest critics can find the Senate a useful place for, among other things, a government lacking elected cabinet representatives from a province or a region. I did not expect this.

[Translation]

I will close by offering my congratulations to Senator Fortier. I am certain that he will use his talents and experience to benefit our country and our fellow Canadians.

**THE HONOURABLE MARJORY LEBRETON
THE HONOURABLE GERALD J. COMEAU
THE HONOURABLE TERRY STRATTON
THE HONOURABLE JOAN FRASER
THE HONOURABLE JOAN COOK**

CONGRATULATIONS ON THEIR APPOINTMENTS

Hon. Daniel Hays (Leader of the Opposition): I would also like to congratulate the new Leader of the Government in the Senate, the Honourable Marjory LeBreton, a woman who has a wealth of experience, who is intensely loyal to her party and who is known for her talent, dedication and intelligence.

[English]

Indeed, the wealth of experience she has gained as a front-line organizer and strategist for Conservative leaders from John Diefenbaker, Robert Stanfield, Joe Clark, Brian Mulroney and now Stephen Harper will be invaluable to her as she meets the day-to-day challenges of her new position.

Moreover, the passion Senator LeBreton brings to worthy causes will serve her well throughout her term as government leader.

I wish her all the best and look forward to working with her as we get on with the very important business of our nation.

[Translation]

I would also like to take this opportunity to congratulate the new Deputy Leader of the Government and the new government whip, Senators Gerald Comeau and Terry Stratton, respectively.

I am extremely proud to be so ably assisted in my duties as Leader of the Opposition by two experienced, high-calibre women. I know that we will make a good team, and I look forward to working with the new Deputy Leader of the Opposition, the Honourable Joan Fraser, and our new whip, the Honourable Joan Cook.

• (1510)

[English]

ROUTINE PROCEEDINGS

CONFLICT OF INTEREST AND POST EMPLOYMENT CODE FOR PUBLIC OFFICE HOLDERS

DOCUMENT TABLED

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, on behalf the Prime Minister, pursuant to section 72.062 of the Parliament of Canada Act, I have the honour to table, in both official languages, a copy of the Conflict of Interest and Post-Employment Code for Public Office Holders.

[Translation]

GOVERNOR GENERAL

SUPREME COURT—COMMISSION APPOINTING
THE HONOURABLE MARSHALL E. ROTHSTEIN
AS DEPUTY—DOCUMENT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, a copy of the commission appointing the Honourable Marshall E. Rothstein Deputy Governor General.

[English]

SPEAKER'S DELEGATIONS TO IRELAND AND ROMANIA AND THE NETHERLANDS AND SWITZERLAND

REPORTS TABLED

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I rise under Tabling of Documents to request leave to table reports relating to my duties as Speaker.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

Senator Hays: The first is a report entitled, "Official Visit to Ireland and Romania, October 9 to 15, 2005;" and the second is a document entitled, "Report on Official Visit to the Kingdom of the Netherlands and Switzerland, November 6 to 12, 2005."

CONFERENCE OF PRESIDING OFFICERS OF SPEAKERS OF PARLIAMENTS

REPORT TABLED

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I wish to table a document which is a report relating to the visit and meeting in Yellowknife, Northwest Territories, to attend the Twenty-third Presiding Officers' Conference of Speakers of Parliaments within Canada.

[Translation]

BUSINESS OF THE SENATE

NOTICE OF MOTION TO CHANGE COMMENCEMENT
TIME ON WEDNESDAYS AND THURSDAYS AND
TO EFFECT WEDNESDAY ADJOURNMENTS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, for the remainder of the current session,

(a) when the Senate sits on a Wednesday or a Thursday, it shall sit at 1:30 p.m. notwithstanding rule (5)(1)(a);

(b) when the Senate sits on a Wednesday, it stand adjourned at 4 p.m., unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned; and

(c) where a vote is deferred until 5:30 p.m. on a Wednesday, the Speaker shall interrupt the proceedings, immediately prior to any adjournment but no later than 4 p.m., to suspend the sitting until 5:30 p.m. for the taking of the deferred vote, and that committees be authorized to meet during the period that the sitting is suspended.

PUBLIC SERVICE EMPLOYMENT ACT

BILL TO AMEND—FIRST READING

Hon. Pierrette Ringuette presented Bill S-201, to amend the Public Service Employment Act.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Ringuette, bill placed on the Orders of the Day for second reading two days hence.

[English]

STATUTES REPEAL BILL

FIRST READING

Hon. Tommy Banks presented Bill S-202, to repeal legislation that has not come into the force within 10 years of receiving royal assent.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read a second time?

On motion of Senator Banks, bill placed on the Orders of the Day for second reading two days hence.

PUBLIC SERVICE EMPLOYMENT ACT

BILL TO AMEND—FIRST READING

Hon. Percy Downe presented Bill S-203, to amend the Public Service Employment Act (priority for appointment for veterans).

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read a second time?

On motion of Senator Downe, bill placed on the Orders of the Day for second reading two days hence.

[Senator Comeau]

NATIONAL PHILANTHROPY DAY BILL

FIRST READING

Hon. Jeremiah S. Grafstein presented Bill S-204, respecting a National Philanthropy Day.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read a second time?

On motion of Senator Grafstein, bill placed on the Orders of the Day for second reading two days hence.

FOOD AND DRUGS ACT

BILL TO AMEND—FIRST READING

Hon. Jeremiah S. Grafstein presented Bill S-205, to amend the Food and Drugs Acts (clean drinking water).

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read a second time?

On motion of Senator Grafstein, bill placed on the Orders of the Day for second reading two days hence.

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Jeremiah S. Grafstein presented Bill S-206, to amend the Criminal Code (suicide bombings).

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read a second time?

On motion of Senator Grafstein, bill placed on the Orders of the Day for second reading two days hence.

• (1520)

[Translation]

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Céline Hervieux-Payette: Honourable senators, I have the honour to present Bill S-207, to amend the Criminal Code (protection of children).

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Hervieux-Payette, bill placed on the Orders of the Day for second reading two days hence.

[English]

THE HONOURABLE NOËL A. KINSELLA

NOTICE OF MOTION EXPRESSING CONGRATULATIONS AND CONFIDENCE IN SPEAKER

Hon. Serge Joyal: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Senate congratulates the Honourable Noël Kinsella on his appointment as Speaker and expresses its confidence in him while acknowledging that a Speaker, to be successful and effective in the exercise of the duties of that office, requires the trust and support of a majority of the Senators.

HEALTH

NOTICE OF MOTION URGING GOVERNMENT TO PROVIDE LONG-TERM END-OF-LIFE CARE

Hon. Sharon Carstairs: Honourable senators, pursuant to rule 58(1)(i), I give notice that two days hence, I will move that:

Whereas the federal government has a leadership and coordination role, and a direct service delivery role for certain populations, with regards to palliative and end-of-life care in Canada;

And whereas only 15 per cent of Canadians have access to integrated, palliative and end-of-life care;

Be it resolved that the Senate of Canada urge the Government to provide long-term, sustainable funding for the further development of a Canadian Strategy on Palliative and End-of-Life Care which is cross-departmental and cross-jurisdictional, and meets the needs of Canadians.

And that a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

AGRICULTURE AND FORESTRY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY RURAL POVERTY

Hon. Hugh Segal: Honourable senators, I give notice that two days hence, I will move:

That the Standing Senate Committee on Agriculture and Forestry be authorized to examine and report on rural poverty in Canada. In particular, the Committee shall be authorized to:

- (a) examine the dimension and depth of rural poverty in Canada;
- (b) conduct an assessment of Canada's comparative standing in this area, relative to other OECD countries;
- (c) examine the key drivers of reduced opportunity for rural Canadians;

- (d) provide recommendations for measures mitigating rural poverty and reduced opportunity for rural Canadians; and

That the Committee submit its final report no later than April 30, 2007.

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE 2005 DECLARATION ON ANTI-SEMITISM AND INTOLERANCE

Hon. Jeremiah S. Grafstein: Honourable senators, I give notice that on Friday next, April 7, 2006, I will move:

That the following Resolution on Combating Anti-Semitism which was adopted unanimously at the 14th Annual Session of the OSCE Parliamentary Association, in which Canada participated in Washington on July 5, 2005, be referred to the Standing Senate Committee on Human Rights for consideration and that the Committee table its final report no later than October 30, 2006:

RESOLUTION ON COMBATING ANTI-SEMITISM

Recalling the resolutions on anti-Semitism by the OSCE Parliamentary Assembly, which were unanimously passed at the annual meetings in Berlin in 2002, in Rotterdam in 2003 and in Edinburgh in 2004,

1. Referring to the commitments made by the participating states emerging from the OSCE conferences in Vienna (June 2003), Berlin (April 2004) and Brussels (September 2004) regarding legal, political and educational efforts to fight anti-Semitism, ensuring "that Jews in the OSCE region can live their lives free of discrimination, harassment and violence",
2. Welcoming the convening of the Conference on Anti-Semitism and on Other Forms of Intolerance in Cordoba, Spain in June 2005,
3. Commending the appointment and continuing role of the three Personal Representatives of the Chairman-in-Office of the OSCE on Combating Anti-Semitism, on Combating Intolerance and Discrimination against Muslims, and on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions, reflecting the distinct role of each in addressing these separate issues in the OSCE region,
4. Reaffirming the view expressed in earlier resolutions that anti-Semitism constitutes a threat to fundamental human rights and to democratic values and hence to the security in the OSCE region,
5. Emphasizing the importance of permanent monitoring mechanisms of incidents of anti-Semitism at a national level, as well as the need for public condemnations, energetic police work and vigorous prosecutions,

The Parliamentary Assembly of the OSCE:

6. Urges OSCE participating states to adopt national uniform definitions for monitoring and collecting information about anti-Semitism and hate crimes along the lines of the January 2005 EUMC Working Definition of Anti-Semitism and to familiarize officials, civil servants and others working in the public sphere with these definitions so that incidents can be quickly identified and recorded;
7. Recommends that OSCE participating states establish national data collection and monitoring mechanisms and improve information-sharing among national government authorities, local officials, and civil society representatives, as well as exchange data and best practices with other OSCE participating states;
8. Urges OSCE participating states to publicize data on anti-Semitic incidents in a timely manner as well as report the information to the OSCE Office for Democratic Institutions and Human Rights (ODIHR);
9. Recommends that ODIHR publicize its data on anti-Semitic crimes and hate crimes on a regular basis, highlight best practices, as well as initiate programs with a particular focus in the areas of police, law enforcement, and education;
10. Calls upon national governments to allot adequate resources to the monitoring of anti-Semitism, including the appointment of national ombudspersons or special representatives;
11. Emphasizes the need to broaden the involvement of civil society representatives in the collection, analysis and publication of data on anti-Semitism and related violence;
12. Calls on the national delegations of the OSCE Parliamentary Assembly to ensure that regular debates on the subject of anti-Semitism are conducted in their parliaments and furthermore to support public awareness campaigns on the threat to democracy posed by acts of anti-Semitic hatred, detailing best practices to combat this threat;
13. Calls on the national delegations of the OSCE Parliamentary Assembly to submit written reports at the 2006 Annual Session on the activities of their parliaments with regard to combating anti-Semitism;
14. Calls on the OSCE participating states to develop educational material and teacher training methods to counter contemporary forms of anti-Semitism, as well as update programs on Holocaust education;
15. Urges both the national parliaments and governments of OSCE participating states to review their national laws;
16. Urges the OSCE participating states to improve security at Jewish sites and other locations that are potential targets of anti-Semitic attacks in coordination with the representatives of these communities.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY STATE OF HEALTH CARE SYSTEM

Hon. Wilbert J. Keon: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on issues arising from, and developments since, the tabling of its final report on the state of the health care system in Canada in October 2002. In particular, the Committee shall be authorized to examine issues concerning mental health and mental illness;

That the papers and evidence received and taken by the Committee on the study of mental health and mental illness in Canada in the Thirty-seventh and Thirty-eighth Parliaments be referred to the Committee; and

That the Committee submit its final report no later than June 30, 2006 and that the Committee retain all powers necessary to publicize the findings of the Committee until September 30, 2006.

That the Committee be permitted, notwithstanding usual practices, to deposit any report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.

THE SENATE

NOTICE OF MOTION TO TELEVISION PROCEEDINGS

Hon. Hugh Segal: Honourable senators, I give notice that two days hence, I will move:

That, whenever the Senate is sitting, the proceedings of the upper chamber, like those of the lower one, be televised, or otherwise audio-visually recorded, so that those proceedings can be carried live or replayed on CPAC, or any other television station, at times that are convenient for Canadians.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY MATTERS RELATING TO MANDATE

Hon. Tommy Banks: Honourable senators, I give notice that at the next sitting of the Senate, once committees are properly formed, I will move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on emerging issues relating to its mandate:

- (a) The current state and future direction of production, distribution, consumption, trade, security and sustainability of Canada's energy resources;
- (b) Environmental challenges facing Canada including responses to global climate change, air pollution, biodiversity and ecological integrity;
- (c) Sustainable development and management of renewable and non-renewable natural resources including water, minerals, soils, flora and fauna;
- (d) Canada's international treaty obligations affecting energy, the environment and natural resources and their influence on Canada's economic and social development; and,

That the papers and evidence received and taken during the First Session of the Thirty-eighth Parliament be referred to the Committee;

That the Committee report to the Senate from time to time, no later than June 30, 2007, and that the Committee retain until September 1, 2007 all powers necessary to publicize its findings.

PRINCE EDWARD ISLAND

**EARLY LEARNING AND CHILD CARE AGREEMENT—
PRESENTATION OF PETITION**

Hon. Catherine S. Callbeck: Honourable senators, I have the honour to present a petition from residents of my province, Prince Edward Island, concerning early learning and child-care agreements signed by the Province of Prince Edward Island and the federal government last November.

The petition reads:

We, the undersigned, draw the attention of the Senate of Canada to the following;

- Whereas the previous federal government and the Province of Prince Edward Island signed the early learning and child care Agreement in Principle on November 24, 2005;
- Whereas the agreement represents a federal investment of \$20.4 million over five years to create the additional high quality and affordable early learning and child care spaces that are so desperately needed in our province;
- Therefore, we call upon the Senate to urge Prime Minister Stephen Harper and the federal government to commit to the implementation of the original early learning and childcare agreement, and, in doing so, make sure that the children of Prince Edward Island have the best possible start in life.

QUESTION PERIOD

AGRICULTURE AND AGRI-FOOD

FARM INCOME CRISIS AND DISASTER RELIEF

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate, with whom I recently learned I share a common background, the two of us having been raised on dairy farms. As such, the Leader of the Government in the Senate will not be surprised that my first question concerns agriculture.

• (1530)

The agricultural sector was, of course, dealt with in the concluding remarks of the Throne Speech. However, this is something that we must follow up on, particularly today, given the demonstrations that are occurring outside this place as we speak.

By way of background, in February 2005, Agriculture and Agri-Food Canada reported that net farm income across Canada is expected to fall 16 per cent this year. This decline follows a difficult period for the agricultural sector. In 2004, grain prices were 25 per cent lower than 2002. In 2005, the crop index fell another 15 per cent. There have been previous government attempts to address this issue. In response to that problem, in 2005, the federal government announced funding of almost \$1.2 billion to the grains and oilseeds sector. In the Speech from the Throne, the government of Prime Minister Harper characterized this type of support as something akin to years of neglect, and promised a more effective farm income stabilization and disaster relief program.

Can the minister now give us — in detail preferably, but in a general way at least — information on what this new program is, when it will be implemented, and how it will address the problem we are sharing with those demonstrators outside of the chamber today?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank the Leader of the Opposition for his question. I will have a difficult time not calling him "Mr. Speaker," since that is what I have been doing for a number of years. As he has pointed out, I was raised on a family dairy farm, and I know full well that there is no group of people that works harder than our agricultural producers all over Canada. Before I proceed with my answer, I must say that we have a senator in our caucus, Senator Gustafson, who, at every opportunity, reminds us of the very serious problems facing our farmers across the country.

Since we were sworn in on February 6, our new Agricultural Minister, Chuck Strahl, has spent his time meeting with agriculture and agri-food ministers throughout the country. As many of you know, on our very first day in government, on February 6, the first act of cabinet was the authorization of payments of \$755 million under the Grains and Oilseeds Payments Program. To date, 73,000 cheques totalling near to \$400 million have gone out to producers. Having travelled the country on the election campaign where we met many farmers, we feel very connected to them, and our government is committed to making long-term sustainable efforts to assist them.

Senator Hays: The payments about which the honourable senator spoke were announced and committed to by the Liberal government that preceded this new government, and, in part, I am looking for some indication of the kind of support that Prime Minister Harper's government will give to agriculture. Will it be more than in the past? At the present time, we have no indication of that, but I will tell you that the people outside and farmers generally, who comprise a large constituency of the Prime Minister's party, are expecting more and are expecting it soon.

To be more specific, on December 21, when the Prime Minister was campaigning as Leader of the Opposition, he said that he would scrap the Canadian Agriculture Income Stabilization Program and introduce a much more responsive program. In meetings with the provincial agricultural ministers, we have seen Minister Strahl basically abandon that commitment, and the honourable senator can confirm whether or not that is the case. There was a promise, and there is an expectation of a new program, and we do not have one, and the \$755 million that we are pleased to see implemented and distributed does not comprise an answer in terms of our expectation of the new government.

Can the Leader of the Government in the Senate give honourable senators details, and tell us why this crisis in agriculture is not a policy issue which is as important as the five principal ones outlined in the Throne Speech, given the gravity of the problem faced by Canadian farmers?

Senator LeBreton: I dare say that the problems of the farming and agricultural sector have not just happened since February 6. With regard to the Canadian Agriculture Income Stabilization Program, or CAIS, as they call it, we certainly recognize that CAIS is seriously flawed. We heard this from agricultural producers loud and clear, and that is why we intend to replace it. I notice that some of the provincial agricultural ministers are saying something different, but the fact is that if they are listening to the farmers in their jurisdictions, CAIS does need to be replaced.

You can understand that I would not be in a position to comment at this moment. We were just sworn into government; this is the first day of Question Period and the third day of Parliament, thus any future announcements with regard to agriculture will be forthcoming. I am sure that at the end of the day, my former farm friends will feel that they have been given a much better hearing by this government.

Senator Hays: Honourable senators, I hope so. I will conclude today's questions on agriculture by quoting from "Measuring the Farm Income Crisis," dated early this year from the Canadian Federation of Agriculture, which draws to our attention the fact that per-farm income in the United States in 2004 was above \$39,000 U.S. per year, and the average farm debt of a U.S. farmer taking in that income was approximately \$100,000 U.S.

In sharp contrast, Canada's net per-farm income for 2004 was \$27,000 Canadian, and the average farm debt was over \$200,000. That is one of the cries for help that we hear today from those demonstrating outside the Parliament buildings, and that gives us a measure of how much assistance is needed by Canadian farmers to address this serious problem.

Can the Leader of the Government give us comfort in terms of what we can expect and give us an indication of the kind of support being described in these new programs that will achieve that level?

Senator LeBreton: I thank the honourable senator for his question, and I notice that the statistics cited were from 2004; it is 2006. We were sworn into government on February 6, and we do have matters such as the budget yet to be dealt with. With the makeup of our government and caucus and the help of people like Senator Gustafson, I am confident that we will be developing programs that will be much more substantive in sustaining our agricultural sector.

Some Hon. Senators: Hear, hear!

WORLD TRADE ORGANIZATION NEGOTIATIONS— DOHA ROUND—SUPPLY MANAGEMENT— DESIGNATION OF MINISTER

Hon. Jack Austin: Honourable senators, I wish to pursue the agricultural issue as well, but from a different aspect. Before I ask my question of the Leader of the Government, I wish to offer the traditional as well as my personal sincere congratulations to our Speaker on the assumption of his office, and I concur with the remarks made previously. We look forward to a distinguished period under the leadership of Your Honour in this chamber.

I also wish to congratulate the Leader of the Government on the assumption of her new responsibilities.

• (1540)

I have some familiarity with that office, and I know that you will work diligently to discharge your responsibilities not only here in the Senate but also in the cabinet process.

Representing the Senate in the cabinet process is one of your duties. Of course, you get to determine what the interests of the Senate are in pursuing those issues, but we on this side get to advise you. Please take these questions as advice rather than as an attempt to pursue purely partisan advantage, at least for today.

Honourable senators, I had the opportunity to represent this chamber at Cancun, and I had the advantage of being one of three federal ministers at the Hong Kong negotiations in the Doha round. I accompanied the then Minister of International Trade, the Honourable Jim Peterson, and the then Minister of Agriculture, the Honourable Andy Mitchell, so I have some familiarity with the issues that I now want to raise.

The issues relate to the deadline for the continuation to success of the Doha round, and that deadline is the end of this month, April. Talks are under way to try to resolve difficulties that relate to the agricultural sector and other sectors, but I want to focus on the agricultural sector.

The most critical concern is with respect to Canada's balance of economic interest with respect to agriculture. We can be a proficient, effective and profitable exporter of agriculture. We can be successful in our grains and oilseeds business; we can be successful in cattle. In order to be a success in these areas, which

constitute about 80 per cent of our agricultural export potential, we need an international open and free trading market. We do not have that. Honourable senators are familiar with the constraints imposed by subsidies, subventions, grants and other games played by agricultural producers internationally. The Doha round was intended to create a level playing field for agriculture in the international trade system. However, Canada has also desired to protect certain industries that are described as supply managed.

Will the Leader of the Government in the Senate tell us today, given the deadline of April 30 to which these negotiations are headed, the position of the government with respect to both the objective of a free-trading agricultural system and the role of supply management?

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Austin for that question.

I am fully aware of the Doha round and the deadline. I will take most of that question as notice. We realize the difficulty that the government faces at the WTO. We will want to achieve a more level international playing field, but the government will vigorously defend supply management.

Senator Austin: Honourable senators, I thank the leader for that answer, particularly since historically part of the party that is now described as the Conservative Party, and particularly western MPs, were opposed to the supply management system. Thank you for clarifying that supply management will be high on the government's priority list.

With respect to this round, will Canada be represented by one of the ministers of the government in the negotiations that are leading to some conclusion at the end of this month?

Senator LeBreton: Honourable senators, I wish to clarify. As the full party document states, we have not been a party opposed to supply management. Having been raised on a dairy farm in Eastern Canada, I understand what supply management means to rural Ontario and rural Quebec, for example. There are other issues on which our party has taken positions, but it is quite incorrect to say that our party was opposed to supply management.

It is my belief that a minister of the government will attend the Doha round.

Senator Austin: On a point of clarification, I realize that the present Conservative Party is the party for which the Leader of the Government is speaking. I was speaking about some of its predecessors because I understand that my honourable friend's party is an amalgamation of other political parties.

Senator LeBreton: Honourable senators, there is only one Conservative Party. If we are looking at divisions, we should be looking at the divisions in the Liberal Party.

PUBLIC WORKS AND GOVERNMENT SERVICES

DELAY IN NATIONAL DEFENCE CAPITAL ACQUISITION PROCESS

Hon. Colin Kenny: Honourable senators, I have a question for the Minister of Public Works and Government Services. I would first like to welcome the minister to the Senate and to one of the most difficult files in government.

It currently takes an average of 15 years for the Department of National Defence to acquire a major piece of military equipment. Reports from the Conference of Defence Associations, the Minister of National Defence's Advisory Committee on Administrative Efficiency, the Defence Management Studies Program at Queen's University, and this chamber's own Standing Senate Committee on National Security and Defence have consistently criticized the number of layers of approval and review in the federal government that delay capital procurement to the extent that equipment is sometimes already obsolete when it arrives.

Could the minister describe to this chamber what "value-added" Public Works and Government Services Canada brings to the National Defence capital acquisition process?

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I will use this opportunity to thank Senator Hays for his kind and generous words and to thank everyone who has welcomed me so generously since I was sworn in on Monday.

In response to the question with respect to procurement and defence — defence assets in particular — since I have been sworn in I have had several briefings and have noticed that with respect to certain of these acquisitions indeed there has been a time lag of a number of years, although I am not sure whether it is 15 years.

I am sure honourable senators know that Public Works has a number of individuals embedded, if you want, with DND who have been working the department in trying to speed up the procurement process. It is my intention to speed it up much more and, with the help of the Minister of National Defence, Mr. O'Connor, to close the gap that Senator Kenny has identified.

Senator Kenny: I would like to thank the honourable minister for his reply. The recent Assistant Deputy Minister of National Defence (Materiel), Allan Williams, advised the Standing Senate Committee on National Security and Defence last year that he had set a goal to reduce the procurement process from the average of 15 years to 11 years, which is still outrageously long, in my opinion.

• (1550)

Could the honourable senator outline what proposals your government has made to achieve this goal? As well, I would like to have an estimate of how much time can be saved if Public Works and Government Services Canada were not involved in the National Defence capital acquisitions process.

Senator Fortier: As I indicated earlier, Public Works is involved in the National Defence capital acquisitions process. There is a procurement process with respect to several departments. We have professionals in Public Works who specialize in the acquisition of several assets, including procurement for defence.

As I said earlier, it is my intention, and the intention of the Minister of Defence, to ensure that we speed up the process. We will be looking into these matters in short order. Therefore, we share the honourable senator's view in terms of closing the gap, and we will work hard to achieve those goals.

SPEECH FROM THE THRONE

EXCLUSION OF INFRASTRUCTURE PROGRAMS FOR CITIES

Hon. Art Eggleton: Honourable senators, my question is to the Leader of the Government in the Senate.

For the past two years, the former government has pushed forth an agenda to support cities across Canada entitled the New Deal for Cities and Communities. That agenda includes two key elements: To build infrastructure and support transit, and generally to ensure that our cities can compete internationally because they are the engines that drive our economy.

Yesterday in the Speech from the Throne, the word "cities" appeared only once. Terms like "infrastructure" and "transit" did not appear at all.

With reference fiscal imbalance, when the term "all governments" was mentioned in the Speech from the Throne, the Mayor of Toronto stated today that he was hoping that included municipalities and not just provinces and territories.

My question is twofold: First, why was infrastructure and transit, which are so vital to our cities, left out of the Speech from the Throne? Second, does the phrase "all governments" referenced in the speech include municipalities? For example, will there be consultation during this process with mayors and with the Federation of Canadian Municipalities?

Hon. Marjory LeBreton (Leader of the Government): With regard to yesterday's Speech from the Throne, I believe it was clear to all who were watching, including parliamentarians, that the government will begin with the five priorities. Given that this is the first session of this Parliament, we have some very specific priorities.

The last time I checked, the people who would like a cut in the GST and who would like payment for child care live in cities. When the government puts forward a Speech from the Throne, the speech is directed to all Canadians and not only to people who live in one part of the country or the other.

Senator Eggleton: Honourable senators, since our cities are so vital to our economy, I trust that the government will put them on its priority list.

THE CABINET

APPOINTMENT OF REPRESENTATIVE FROM TORONTO

Hon. Art Eggleton: Honourable senators, the Conservative party did not elect any members of Parliament in the recent election from the three largest cities in the country. To address that shortcoming, the Prime Minister invited an elected Liberal member from Vancouver to join his cabinet and then he appointed a senator from Montreal and placed him in the cabinet, even though during his election campaign he stated senators should be elected.

The Prime Minister's response to the lack of representation from the city of Toronto is that members from the outlying 905 region can represent the city. I would like to remind honourable senators that the city of Toronto has a population of about 2.5 million people, which is larger than some of the provinces in this country.

My question to the Leader of the Government in the Senate is: Will she recommend to the Prime Minister that one of her esteemed Senate colleagues from Toronto, sitting very close to her in the Conservative ranks be appointed to the cabinet?

Hon. Marjory LeBreton (Leader of the Government): Is the honourable senator offering himself for the position?

I am a very big fan of the city of Toronto. I understand there is angst from the people of Toronto, speaking as an Ottawa Senators' fan. However, I will refer the honourable senator's question to the Prime Minister.

On the question of cities, the Prime Minister's choices of Senator Fortier and Minister Emerson to represent Montreal and Vancouver were good decisions. These two men are very capable of representing those cities. It is hard to argue the point that people such as Jim Flaherty or Tony Clement are not very familiar with issues regarding Toronto.

As a person from Ottawa, I am always amazed at media coverage. A person would have thought there were only three cities in the whole country: Montreal, Toronto and Vancouver. We had many members of Parliament elected from cities such as Ottawa, Hamilton, Burlington, Edmonton and Calgary. I think cities are well represented in our government, but I will pass on the comments of the honourable senator.

NATIONAL DEFENCE

CFB GAGETOWN—TESTING OF AGENT ORANGE AND AGENT PURPLE

Hon. Norman K. Atkins: Honourable senators, my question is to the Leader of the Government in the Senate. First, I wish to congratulate her on her new position. Having known her for 40 years and worked with her, I am sure she will distinguish herself in this place.

My question to the Leader of the Government in the Senate deals with CFB Gagetown and the recent announcement that during testing where Agent Orange was sprayed, the levels are up

to 50 per cent. Could the minister inform the house as to what the government is doing as a result of that test? We must consider that the previous government dragged out this whole problem. What action does the present government intend to take?

Hon. Marjory LeBreton (Leader of the Government): I am glad the honourable senator elaborated on how many years we have known each other. It has been a long time, and he has been and still is a great colleague.

With regard to the question of Agent Orange testing at CFB Gagetown, in the last Parliament, then member of Parliament Greg Thompson championed this issue. As the Minister of Veterans Affairs he has responsibility for this concern. Recently I heard Minister Thompson respond to a similar question. He indicated that the government is working to develop a plan for dealing with the effects of Agent Orange and what I believe is called Agent Purple.

I will take the question as notice and report back to the honourable senator regarding this issue. I am aware of the numbers and how many people are affected by this subject.

• (1600)

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, before we proceed to Orders of the Day, I wish to announce to the house that tomorrow the official photograph of the Senate will be taken. A message, I take it, has been sent to all honourable senators' offices.

Hon. Sharon Carstairs: Honourable senators, throughout the tributes today and most of Question Period, there were constant interruptions on our public address system, which have been identified as being caused by the use of Blackberries, most particularly Rogers Blackberries.

Your Honour, through you, I would urge all senators to please turn their Blackberries off.

Hon. J. Michael Forrestall: Your Honour, I have had this afternoon the most difficult period of trying to follow the questions being put and the responses from the Leader of the Government in the Senate. I thought it was my batteries. I just threw away a battery.

Your Honour, if my colleagues do not think that is serious, let them have a hearing problem, throw away a good battery, and wander around for 24 hours without being able to hear anything.

The Hon. the Speaker: Honourable senators, I thank Honourable Senator Carstairs for raising this matter at our session this afternoon. I wish to draw the attention of all honourable senators to page 19 of our rule book. Rule 19(4) reads as follows:

No person, nor any Senator, shall bring any electronic device which produces any sound, whether for personal communication or other use into the Senate Chamber, whether on the floor, inside the Bar, outside the Bar or in the galleries...

Honourable senators, the reading of the rule is crystal clear, and I would encourage all honourable senators to act accordingly.

Hon. Joan Fraser (Deputy Leader of the Opposition): Your Honour, I am seeking clarification, which I hope would avoid a formal point of order.

Earlier this day we heard a series of notices of motion to give orders of reference to committees. We all know that senators are very anxious to get down to work in the committees, and I am not disputing the legitimacy of that desire. However, the committees have not yet been constituted. The Senate Committee of Selection has not yet been constituted. The question that immediately arose, not only in my mind but in the minds of others with greater experience than I, is whether it is in order to have on the Order Paper something referring to a committee which has not yet been constituted. Perhaps Your Honour could give me some guidance in that respect.

Hon. Tommy Banks: Honourable senators, I do not have the temerity to argue much about procedure or points of order, but the question that Senator Fraser has raised did occur to me, obviously, as it has occurred to others. Needless to say, the purpose of my motion and I suspect that of Senator Keon was to get a leg up and to save a day.

I read the rules as carefully as I could and asked others as carefully as I could, and I came to the conclusion, based on the best advice that I could get, that the introduction of a notice of motion did not, in and of itself, contravene the rules of this place and that there has been no prohibition against it.

I understand that this situation is perhaps rare and unconventional. However, my rationale was that even though it is not the case that committees have not been established, it is the case that the Committee of Selection has not yet been put in place and has not yet chosen the senators who will become members of the committees.

Honourable senators, the committees are prescribed following the use of the word "shall" in the *Rules of the Senate*. Those committees exist, but the membership in them has not yet been determined.

I believe it is proper and in order to introduce a notice of motion in this respect and perhaps even to pass such a motion. To use an absurd example, I could introduce a notice of motion or even propose a motion that would set out the order of reference of, let us say, the Transport Committee, of which I am not a member. A proper motion such as this could be considered by this house and would obviously have to be concurred in by the committee itself. While these things are rare, I hope they are not out of order.

Hon. John G. Bryden: Your Honour, since I am on my feet for the first time, I wish to offer my congratulations. Just because we are from the same province, I do not expect preferential treatment all the time.

I understand that Senator Banks is saying that there are committees outlined in the rules, but there is no one on the committees. Those committees may not be active. I believe that it

would help us all if His Honour would take it upon himself — if he wishes a formal point of order, I am prepared to move it — to give this house some direction in relation to this question. It may be the thin edge of the wedge, where we can do all kinds of things when we have empty committees and empty holes and we just anticipate doing things.

Your Honour, if it would help to activate your skills, I would make this a formal point of order. On the other hand, if you would be prepared to take it under advisement and report back to the chamber, I think we would all be perfectly happy.

Hon. Jack Austin: Honourable senators, of course the committee can review the order of reference when it receives it. When the Senate sets an order of reference and the committee has no power to review it, the committee can request a different order of reference if it wishes. The difficulty I have with this procedure is not procedural but substantive.

The committee itself should discuss the order of reference that it wishes to have, and this chamber should not presume on the committees and their determination. These notices, and the debates that may follow, make assumptions or intend to impress a set of terms of reference on which senators have not themselves been consulted nor have they discussed.

I do not object to the procedure. I believe the procedure is correct, but substantively, I do not think the anticipation is desirable.

Senator Carstairs: Your Honour, in essence, what we have today is a notice of motion. I think it would be entirely appropriate for us not to vote on that notice of motion until such time as the committees have been formed.

At that time, we also could hear from the chairs of those committees as to whether they think this is a good reference to accept or not to accept.

• (1610)

I know what the individuals were trying to do today; they were trying to put things into motion so that, if we formed the committees quickly, then the committees could get to work just as quickly. However, I will adjourn every one of these, should they be moved, if indeed there is not a committee in place.

[Translation]

Hon. Fernand Robichaud: Honourable senators, I see one possible problem here. Once the committee has been formed and the honourable senators have defined their terms of reference and decide to report to the Senate, the Senate could have before it two motions relating to the terms of reference of one committee. This could complicate matters even more. It would be simpler to wait until the committees meet, and the honourable senators define their terms of reference and report to the Senate.

Otherwise, if the Senate had to address such motions, it would have to decide which motion would take precedence — the one introduced today or one that the committee might introduce later. I believe that might cause some problems.

[Senator Bryden]

[English]

Hon. Terry Stratton: We are arguing about a good point. Often there have been parliamentary gaps where committee members wish to work and we have to say, "No, you cannot work because your committee does not exist." We had a recent example of that in the last inter-parliamentary session.

I would suggest, Your Honour, that perhaps you should look at having the proponent of this motion withdraw the motion until the Selection Committee has determined who serves on the various committees. The motion can be put forward then.

The Hon. the Speaker: I thank all honourable senators for their input on this subject. I will be happy to delve a little deeper, but I believe Senator Carstairs has, as they say proverbially, hit the nail on the head. We have before us at this time a notice. That notice goes on the Notice Paper, not the Order Paper. Good points have been raised, and I will look into this matter. If honourable senators agree, and Senator Fraser presented it that way, perhaps we do not need to deal with this as a formal point of order. A good point has been made, but I believe we are all secure given that all that will be recorded today is something on the Notice Paper and not on the Order Paper.

For clarity, I mentioned the photograph being taken tomorrow; is that agreed by all honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: I believe that will occur between 2:00 and 2:20.

[Translation]

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE ADJOURNED

The Senate proceeded to consideration of Her Excellency the Governor General's Speech from the Throne at the opening of the First Session of the Thirty-ninth Parliament.

Hon. Andrée Champagne, seconded by the Honourable Senator Hugh Segal, moved:

That the following Address be presented to Her Excellency the Governor General of Canada:

To Her Excellency the Right Honourable Michaëlle Jean, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

She said: Honourable senators, allow me first to tell you how proud I am as I present this motion and prepare to read this speech today. I have been a member of this illustrious assembly for only six months. You do me a great honour, and I thank you most sincerely for it.

This is a very good opportunity to reiterate my great pleasure at finding myself here, finding former colleagues from the other place, seeing again a colleague from stage and studio and meeting those I had not yet met, whose achievements were highly praised.

I would also like to take this special moment to congratulate some of my colleagues. First, our new Speaker, Senator Kinsella. We are all certain that, in his new seat, he will act with the same great wisdom that drew our esteem and led to our friendship when he was Leader of the Opposition in the Senate. We are almost as proud as are his fellow New Brunswickers.

I would like as well to thank Senator Hays for his commitment during the previous session. Along with all of you, it is with sadness that I note the absence of Senator Maheu, whom I knew in another life as the honourable member for Saint-Laurent—Cartierville. I heartily echo the tributes my colleagues have paid to her today. I will miss her kindness.

You will understand my not failing to mention the appointment of two women to positions of great importance in this house.

[English]

My congratulations go to Senator LeBreton, who has become Leader of the Government. She knows she can count on my support. I am convinced that Senator Comeau will be a most helpful deputy leader.

[Translation]

Congratulations also to our Acadian from Nova Scotia.

Senator Fraser has also taken on new responsibilities in support of the new Leader of the Opposition, Senator Hays. Congratulations, Senator. You too will have a high-calibre assistant to help you in your new duties. But I hope that even with her new duties, Senator Fraser will still have time to make life easier for new senators, whether appointed or elected.

Her smile and her witty and astute comments make new senators feel more comfortable in this place, which can sometimes seem overwhelming. I want to extend my sincere thanks to the woman who sat to my left when I arrived here.

• (1620)

[English]

This new session of Parliament will bring new challenges to all of us. I know that we will do our best to make sure that, as always, we unite our efforts and always provide Canadians with the benefits of that proverbial sober second thought. We will be asked to study many new bills. We will try to ensure that, in fact, they do reach the goals expressed by our new government for the betterment of Canada.

[Translation]

Making the government and public servants accountable will be one of the major changes in how our country is governed, changes that a large proportion of voters truly want. Transparency, honesty and clarity of purpose will be the beacons that guide this administration.

[English]

The tax on goods and services has been decried by many since its inception. One truth remains: The government of the day did make the right decision, despite the fact that it was not a very popular one. Over the years, the GST was one of the key elements that allowed our country to finally show annual surpluses instead of increasing our common debt every year.

Now that Canadians can afford it, the time has come to lighten this load on our shoulders. Our government will honour the promise made to all of us last fall: Working Canadians will see their tax burden reduced.

[Translation]

The time has also come to offer our parents the opportunity to choose the best solution when deciding on child care during their work hours outside the home or to allow them some well deserved rest from time to time. We will make sure that the creation of new child care places is no longer a utopian dream, but a reality. The financial assistance the government will provide to the companies and community groups for creating these cosy nests, where parents can leave their children safely, will encourage the development of all the places Canadians need.

We also want to do our best to ensure that our cities, streets and neighbourhoods become safe again. If the justice system is adequately strengthened we will have renewed hope that firearms — handguns in particular — will not end up so easily in the hands of young offenders.

[English]

Delivering health care to all Canadians across our huge country has been a thorny issue for many years. We will be happy when the federal government finally works with the provinces to help reduce waiting times for sick patients. Adequate sums of money will have to be available and better spent if receiving care in a timely fashion is to become the way of life in Canada for everyone again.

[Translation]

Like most people in my province I am especially thrilled that Quebec will again be able to hold its head high within our federation, now that its distinct nature has been recognized nationally and internationally. Together we will work toward making Quebecers proud and happy to be Canadians too.

[English]

During the next while, together, in both official languages, we will look again at the problems of our farmers, our fishermen and our native people. We will revisit the Kyoto agreement and see how we can achieve the best possible results for Canada and the world. We will continue to contribute to peace on our planet, to the welfare of people in need, wherever they live, sharing our wealth and our goodwill.

With a continued strong economy, trade controversies hopefully at last settled, we will be looking forward to the end of this decade to this new century with enthusiasm and hope.

[Translation]

As for me, within this assembly I want to continue to carry the torch that Senator Léger held so high. I will reiterate the importance of culture in the life of a country, and the need to encourage and help out our workers here at home and when they proudly represent us abroad.

I will also speak again about our young artists from every discipline who abandon their dreams too soon because we abandon them too soon. I will express my anger when I see the public broadcaster and the National Film Board — agencies that we fund handsomely so that they can acquire cutting edge equipment — act like simple postproduction companies without realizing that such behaviour makes them unfair competitors with respect to the private sector.

[English]

During my recent trip to Saskatchewan, I gained a greater appreciation of the fantastic efforts and achievements of the local arts councils and boards in that province. They deserve that we should contribute in a better fashion to their work and that of their numerous volunteers.

[Translation]

As Senator Léger so vigorously urged in her farewell speech, I would hope that our Senate will establish a body to study all aspects of our cultural world.

In the Senate of Canada, we alone have the time and the means to do so. That is one more wonderful reason for not thinking of abolishing the Senate. In closing, let me say once more how grateful I am for the honour you have given me today. All that remains is for me to assure you that you can always count on my cooperation, and, honourable senators, I intend to continue to learn and to become an ever effective and ever committed senator. May this be a good session for all of us.

[Senator Champagne]

[English]

Hon. Hugh Segal: Honourable senators, it is my great privilege to second the motion so ably advanced by my colleague Senator Champagne in a fashion that allows me to make the case to all sides of this chamber for the opportunity for collaboration and working together as represented by the propositions advanced on behalf of the government yesterday in this very chamber.

As a point of history —

[Translation]

— and I quote it for historical reasons and not partisan ones —

[English]

— this is the first time in 16 years that a Conservative government has had the opportunity to prepare and have the Governor General deliver a Speech from the Throne outlining its approach to the public interest of Canada.

The governing of a federation such as Canada requires sensitivity to the needs of the regions, different population centres and individual provinces and territories, something I know colleagues in this chamber take very seriously indeed.

It is my humble submission to honourable senators that yesterday's Speech from the Throne provides a necessary and previously lacking sense of balance that is key to the stability required in our confederal relations. It is fair to point out that the great Liberal Party of Canada associates itself with the Canadian Charter of Rights and Freedoms, which would not have come into place were it not for Premiers Hatfield and Davis, who were Conservatives at the time.

I think it is also fair to say, historically, that the Conservative Party has always been the party of the British North America Act, understanding fundamentally the difference between section 91 and section 92 of the Constitution, and seeking to respect those differences in the confederal tradition that established this very country and the agreements and understandings that were pertinent at that time. I submit to colleagues that the proposition advanced yesterday in the Speech from the Throne specifically on the issue of fiscal imbalance underlines this government's fundamental commitment to address those specific concerns.

I take note of the point the Honourable Senator Eggleton raised with respect to cities. I have a high regard for Senator Eggleton. He is the first person who was a member of the Liberal Party of Canada for whom I ever cast a vote when he ran for mayor of Toronto. He was the last person, I hasten to add, from the Liberal Party for whom I ever cast a vote. He formed a coalition of like-minded, thoughtful Canadians in that great city of Toronto where I lived at the time, who were opposed to a less munificent view of municipal government and its commitment to enterprise, opportunity and the Canadian way, as expressed by the incumbent Senator Eggleton so handily defeated.

• (1630)

I was delighted to do that, but I do point out to him that while it is important to address the cities insofar as the Constitution is concerned, one cannot have a discussion about cities unless the provinces are at that table. The simple notion that the federal

government would overtax in various parts of the country while the provinces thereby, do not have the fiscal capacity to meet their constitutional obligations, and then launch boutique federal programs in provincial jurisdictions to indicate that Ottawa is all knowing — father knows best and the provinces cannot be trusted to address their jurisdictional obligations — is not one shared by the government elected on January 23, and I think that is a good thing for Canada.

Honourable senators, I also want to point out in as friendly and collegial a way as I can to our friends in the great and historic, if on occasion underburdened philosophically, Liberal Party — and we all have burdens to carry, Senator Fraser, and some carry them better than others — that for all those who are concerned about the future of our social programs, and I know that all honourable senators of all affiliations share that concern, the government's proposal with respect to the reduction of the GST will be a universal social program providing a tax cut for every single Canadian, wherever they live, whatever their economic circumstance, as are the proposals with respect to providing cash support for Canadian families with children under the age of six, so that they can make some of their own decisions. For example, in rural Canada, if parents do shift work, they can accommodate their daycare needs in the most constructive way. That, too, is a universal proposition. Those of us who come from the progressive wing of the Conservative Party are not troubled by universality in some of our key and important social programs. I invite our Liberal friends across the way to reflect on that as we go forward together.

The Speech from the Throne mentioned our Canadian Forces. It is a great credit to our Prime Minister, and I know that he had the support in this regard of all Canadians without regard to political affiliation, that he visited with our troops in Afghanistan. He is the first foreign leader to visit that country, not just to arrive for a few hours and do a press hit and head home to where it is safe, but to stay over with the troops in the field to indicate not only our commitment to the nature of the military deployment but, more important, our commitment to the core values, such as women having the right to be something other than marginalized chattels, as they were under the Taliban; young women having the right for the first time to go to school and be educated. Those are the values our Canadian troops are supporting and defending with the great treasure of their own life and limb on behalf of us all. It is for that compelling reason that I am so supportive of the Speech from the Throne, and its support for the men and women in our armed forces.

Honourable senators, it is important that we reflect on what is going on outside, as the Leader of the Opposition, Senator Hays, did so eloquently in his questions and Senator Austin in his questions as well to the Leader of the Government in the Senate. I have had the great privilege since becoming a junior Senator from Ontario to visit with some farm organizations and to engage on the issue of rural poverty. This is not about farming only. This is not about the collapse of commodity prices. This is not only about, as Senator Gustafson indicates so compellingly, that 20 years ago a barrel of oil was two bucks and a bushel of wheat was two bucks, today a barrel of oil is \$62 and the bushel of wheat is still two bucks.

Whenever I visit agricultural organizations, I indicate there is no one in the room who knows less about agriculture than yours truly, and I do so with some humility and clear backup in terms of justification.

This is really about fellow Canadians. This is about six million Canadians who live in rural Canada, a third of whom are living beneath the poverty line, whether it is the low-income cut-off or, any of the other measures that we care to use as definitional. These are seniors who cannot get medical care because they are isolated and because there is no outreach in those areas. This motion is about huge transportation problems and lack of infrastructure investment, federally and provincially. It is not only about commodity-based prices, although it is fair to say that our grain and oilseeds producers across the country are in free fall. The level of farm sales in Saskatchewan would scare the devil out of anyone. They continue apace.

I am encouraged by the way in which farming was mentioned yesterday in the Speech from the Throne and I think it is so important because it reflects our commitment to the men and women who live in our rural communities, who deserve the same equality of opportunity, the same opportunity for their families to find work, and to live in some measure of dignity as we want for all Canadians.

Honourable senators, I want to leave you with one final thought, if I may, which some of you may say is a profound grasp of the obvious. We are outnumbered on the government side in this upper chamber. The government of the day was given a modest margin on January 23. They were nudged a bit ahead because people agreed, by and large, with our platform. Our friends in the NDP were nudged a little bit ahead. The Liberals had a minor setback, although I note with a little bit of pain that when our party is sent packing, we are dispatched with two seats. When that party is sent packing, it is dispatched with 103. Talk about a padded penalty box, with Tim Hortons coffee and doughnuts! Nevertheless, the truth of the matter is that in a minority circumstance even the compelling propositions of yesterday's Speech from the Throne will require a measure of compromise from all sides. In the committees of the house and, I would argue, when matters come before this chamber, the spirit of compromise as we reflect on points of refinement and improvement as is the traditional role of the Senate will also be constructive and helpful in the process. What the Canadian voters said, in my judgment, is that they were not ready to trust any one party with total control of the national agenda, or the parliamentary or legislative agenda. They were prepared to ask one party to lead but gave every other party a significant role to play in this process. It behooves all of us who believe in respecting the democratic mandate as it is articulated, and who believe in parliament as a reflective body, to work in every way we can within our parties for that spirit of compromise and cooperation to be the way in which we dispose of the program put before us in the national interest. It may not always be possible, but I hope it can be possible broadly in the spirit that the electorate has determined.

I do want to associate myself with the words of congratulations for the new Speaker of the Senate, who, as Leader of the Opposition, afforded me courtesies and kindnesses upon my appointment that I did not deserve. The Leader of the Opposition is not in the chamber as we speak, but he was very kind as the

former Speaker. I know that the Deputy Leader of the Opposition had the much more arduous task of sorting out the editorial opinions of the *Montreal Gazette* in a thankless community that demanded nothing but perfection and a rapid sort-out of difficult issues, which she did with great judiciousness and courage.

I am honoured to serve behind my leader, the Honourable Marjory LeBreton, the Leader of the Government in the Senate. Nothing has changed. When I came to Ottawa as chief of staff for Prime Minister Mulroney, Senator LeBreton was the deputy chief of staff. The Prime Minister said to me, "You report to Marjory."

• (1640)

When I was appointed to this place by a Liberal prime minister, and Marjory was the chief opposition whip, I reported to Marjory. When there was a complete change in government — new faces, new names — yes, even Prime Minister Harper, but here I stand, reporting to Marjory. There is a consistency in this process, of which I am honoured to be part.

I wish to say a word with regard to Senator Comeau, who has a difficult job, as so articulately rendered by Senator Murray in his tribute to Senator Doody. I have known Senator Comeau for many years. We have fought the battles collectively on behalf of the Acadian community with great pride and some measure of success and, most importantly, in the great overland trek to nowhere in 1998, in which I was involved with Senator Fortier, a chap by the name of Clark and one or two others, Senator Comeau had the great courage to support me in a very rural and difficult part of Nova Scotia. He and I, in that circumstance, rose to nothing without a trace.

Hon. Art Eggleton: Will the honourable senator take a question?

Senator Segal: Yes.

Senator Eggleton: The distinguished senator exercised much wisdom as a resident of the city of Toronto a number of years ago, and still does in his new capacity.

Some might wonder why I, a big city boy, earlier today seconded a motion going to the Agriculture Committee. Senator Segal and I both have an interest in dealing with poverty issues. Despite recent statistics that indicate that things have improved, there are still great difficulties in our country, in both rural and urban areas. Senator Segal is more on the rural side of things and I am more on the urban side, but we will work together and support each other on these issues.

In his remarks, the honourable senator cited sections 91 and 92 of the British North America Act with regard to the separation of powers, and particularly with respect to municipalities, which falls under provincial jurisdiction. Perhaps the problem is the terminology that we use. Rural areas are in municipalities as well as urban areas. If the new government has room for rural policies, why would it not have room for urban policies, considering some of the issues that cities face? One could call it an urban agenda, but the issues of transit, housing, homelessness

and the massive deficit in infrastructure are all significant issues for not only the big three cities, but also for all of our cities and urban areas, which are vital to the economy of our country and our ability to compete in the international marketplace.

Surely the new government has room to deal with the urban agenda. Whether it is called the cities agenda or the urban agenda, I think that the government would make room for it.

Senator Segal: Honourable senators, I will be as clear as possible. I wholeheartedly support what the Leader of the Government in the Senate said earlier in response to a question on the same matter. She indicated clearly that broad policies that affect people constructively in cities are essential to a balanced national economic program. I do not preclude, nor would I oppose in the caucus of my own party, any initiatives that assist on any of the issues that the senator has laid out. The issue is what the appropriate agency is for the delivery of those programs. The senator and I might not agree in that I would not always conclude that the municipal administration, above and beyond the province, is necessarily the best place to deal with an issue such as income disparity.

I have been a proponent since the age of 19 of a basic income floor and a guaranteed annual income. That would help rural and urban Canadians have a measure of self-respect, and it might be substantially less costly than the myriad of social programs we now cascade upon each other in the process of trying to be of service. That would have a constructive impact in our cities.

I agree with the core premise that the cities' aggregate economic, intellectual, industrial and creative power is fundamental to Canada's future. I do not agree with the premise, however, that our municipal governments, which have, believe it or not, a lower voter turnout than most other levels of government in the country, are necessarily the only agency through which those interests can be addressed. The provinces and the federal government should work together within the Constitution. Only in exceptional circumstances would I, as an individual senator, be supportive of going around the provinces in violation of the Constitution to question their legitimacy and say that Municipality A or B, big or small, is a better instrument.

The Hon. the Speaker: Honourable senators, I must advise the house that Senator Segal's time has expired. However, should Senator Segal ask for unanimous consent to have his time extended, and should that be granted, questions could continue.

[Translation]

Hon. Gerald J. Comeau (Deputy Leader of the Government): Mr. Speaker, we agree to an additional five minutes.

The Hon. the Speaker: Senator Grafstein, you have the floor.

[English]

Hon. Jerahmiel S. Grafstein: Honourable senators, I am delighted with Senator Segal's great defence of cities as engines of growth, but I think, to be fair, the agreements that were entered into by the previous government were entered into not only with the cities, but also with the provinces, so the constitutional

responsibilities were very carefully maintained. The reason for that, and the difficulty, as Senator Eggleton has pointed out, was to deal with the separation of powers but to do it in a way with which the provinces agreed.

All of the provinces and territories have entered into these agreements and are asking where the money is. It is not a question of jurisdiction; it is a question of comity and fairness. I accept what the honourable senator says about the government deciding not to deal with the city issue in the old way, but the federal government on this side dealt with the cities in a new way within the constitutional framework of the country. Therefore, I did not follow Senator Segal's argument on that subject.

Senator Segal: When he was Leader of the Opposition Prime Minister Harper indicated that he was not planning to back away from existing agreements that had been reached for support of the cities. As to when that is put forward, when the government assesses where we stand in terms of broad fiscal pressures, such commitments that may have been made by the outgoing government that were not fully funded in the A-base, the present government will have to make that decision. When that decision is made, I suspect that we will hear from ministers of the Crown as appropriate.

My concern is not about that proposition, as a matter of practice going forward, but rather doing boutique federal programs at municipal or other levels and not actually respecting the provinces, which is problematic.

Hon. John G. Bryden: I enjoyed Senator Segal's speech. Having never heard him speak before, I did not know his oratorical skills, except by reputation. It is nice to have another good orator in our chamber.

Senator Segal's speech was sufficiently impressive that I paid attention. He said some creative things and perhaps some new things. We now live in a new environment under the new government. Does the honourable senator have the endorsement of the Prime Minister or his office to have made the speech he made?

Senator Segal: Honourable senators, I greatly appreciate Senator Bryden's kind comments. In the future I will ensure that I diminish oratorical flourish so as not to be noticed in too much detail when I speak in this chamber. The risks have been clearly outlined, and I am grateful for that.

When I was given the great privilege of seconding the motion, I did not seek approval for my text. I spoke as an individual senator reflecting why I would be enthusiastic in support of that motion. I neither sought nor obtained approval from any other place for its content.

• (1650)

Senator Bryden: Undermines without getting the approval of the PMO.

Senator Segal: Let me offer the proposition, if I may, as respectfully as I can: To the extent that there is that liberty of expression on this side that might not have existed on that same side when the honourable senator occupied it, that would speak to the difference between our two great national parties.

Some Hon. Senators: Hear, hear!

Hon. Marilyn Trenholme Counsell: Honourable senators, I too stayed very much awake during the brilliant speech of the honourable senator. I was waiting for him to speak about this sentence in the Speech from the Throne:

At the same time, it will explore means to ensure that the Senate better reflects both the democratic values of Canadians and the needs of Canada's regions.

In the past, the honourable senator has not been shy in speaking out about the Senate, particularly Senate reform. I thought I might be so bold as to ask the honourable senator what he thinks about the Prime Minister's musings regarding elected senators.

Senator Segal: In my maiden speech, which I had the honour of offering in this chamber, I associated myself with the then opposition leader's commitment to a more determined process of reform in this place in order to make the Senate more democratically representative.

I also indicated that I thought the former Prime Minister's position, which was in many ways respectable and appropriate — namely, he did not wish to proceed until the provinces had reached a consensus on how to proceed — was in fact acceptable perhaps for that generation of leadership, but that a new generation was looking to make the entire process more democratic. I associated myself with that new generation position, and I am proud to associate myself with the proposition referenced in the Speech from the Throne.

I do not think anybody can be certain as to how events will play out or what the elements will be. I hope the process will tie democratic reform in the broadest sense, including proportional representation being important in many parts of the country, to what might transpire with respect to reform in this place over the fullness of time.

Hon. Jack Austin: I listened to the last answer and compared it to Senator Segal's presentation on the divisions of sections 91 and 92 of the British North America Act. That raises a question.

Prime Minister Harper said he will proceed with Senate elections no matter what the provinces think. I will wonder for a while how the two fit. However, it was Senator Segal's speech and not Prime Minister Harper's speech we were listening to.

My question is whether the honourable senator supports raising taxes. He referred to the GST, but does he support raising taxes by 1 per cent for all tax categories for calendar years beginning in 2007 and beyond? Does the honourable senator observe that if he supports raising that tax, it has a totally nugatory effect on Canadians with respect to the reduction of GST by 1 per cent?

Senator Segal: There are many of us on this side who bear the scars with respect to the introduction of GST legislation.

The difference between the GST and the proposed income tax reductions offered by the previous administration in good faith is that the GST is money that is already, in a sense, in the consumers' pocket before they make a purchase. The government then steps in and takes a portion of it.

It is clear that the GST has generated far more revenue than was thought possible at the time of its inception. The proposition as advanced by the Prime Minister in the Speech from the Throne that that money should be left in consumers' hands to do with what they want is very different from income tax changes that will affect different income groups in different ways over three to four years and produce payback for some and not much for others.

On the other hand, the GST will produce an immediate payback for everyone who purchases fundamental requirements for their homes and families.

As a qualitative measure of the core premise that people own the money they earn first and the government does not have an a priori right to take it without justification, the GST cut is the right symbol at this time.

Senator Austin: Honourable senators, this is not the time for me to engage in debate on that particular issue. I do wish to say that we have today, in effect, a 1 per cent reduction for this calendar year. Will the government take that away in subsequent years?

Senator Segal: I am not able to offer any prediction as to what the government will do in its normative budgetary introduction some weeks hence. I hope when those matters are introduced, we

will have ample time to debate the various constructive points in this chamber in the normal course.

On motion of Senator Fraser, debate adjourned.

COMMITTEE OF SELECTION

MOTION TO APPOINT ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Comeau, seconded by the Honourable Senator Tkachuk:

That, pursuant to rule 85(1), the Honourable Senators Austin, P.C., Bacon, Carstairs, P.C., Champagne, P.C., Cook, Fairbairn, P.C., Oliver, Stratton and Tkachuk be appointed a Committee of Selection to nominate (a) a Senator to preside as Speaker pro tempore and (b) the Senators to serve on the several select committees, except the Committee on Conflict of Interest for Senators, during the present Session. The Committee of Selection will report with all convenient speed the names of the Senators so nominated.

Hon. Senators: Question!

The Hon. The Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

The Senate adjourned until tomorrow at 2 p.m.

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CANADA

Debates of the Senate

1st SESSION

•

39th PARLIAMENT

•

VOLUME 143

•

NUMBER 4

OFFICIAL REPORT
(HANSARD)

Thursday, April 6, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER



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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, April 6, 2006

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

TRIBUTES

THE HONOURABLE JOHN BUCHANAN, P.C., Q.C.

The Hon. the Speaker: Honourable senators, I received a notice earlier today from the Leader of the Government in the Senate, who requests, pursuant to rule 22(10) of the *Rules of the Senate*, that the time provided for consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Senator Buchanan, who will retire from the Senate on April 22, 2006.

I remind honourable senators that, pursuant to the rules, each senator will be allowed only three minutes and may speak only once.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, today we mark the departure from the chamber of the Honourable Senator John Buchanan. It is always sad when we say goodbye to a fellow senator, but it is especially so in this instance. For over 15 years the Senate of Canada has benefitted from his wisdom, affability and good humour. These are excellent qualities for any senator to possess, but Senator Buchanan has these in abundance. We will miss him greatly. I remember when Senator Buchanan was sworn into the Senate, which I believe was on the same day as the current Speaker of the Senate, the Honourable Senator Kinsella. It was quite a day.

A proud Cape Bretoner, John Buchanan had a distinguished career as a lawyer before entering politics, and throughout that latter segment of his career he enjoyed tremendous electoral success. John Buchanan sat for 23 years as a member of the Nova Scotia House of Assembly. In addition to taking on the highest political office in his province, he held the leadership of the Progressive Conservative Party of Nova Scotia for almost 20 years, a remarkable achievement. As all honourable senators are aware, for 13 years John Buchanan served as the Premier of Nova Scotia, leading not only Nova Scotians, but also all Canadians through interesting and challenging times. His tenure as Premier of Nova Scotia was marked by national events in which he played a major role, most notably the patriation of the Constitution and the Meech Lake Accord negotiations. Each of his undertakings as premier was rooted in his desire to see his province and the country move forward and to serve the people as best he could.

The desire to serve continued to be evident in Ottawa following his appointment to the Senate of Canada in 1990 by the Right Honourable Brian Mulroney, then Prime Minister. Senator Buchanan's dedication to Nova Scotia was the basis for his work on several Senate committees. We witnessed his devotion

first-hand during his interventions in this chamber — and quite a devotion it is, Senator Buchanan. He has followed a long tradition of former provincial and territorial leaders who have brought their considerable talents and expertise to this chamber.

Although Senator Buchanan is leaving the Senate today, it is safe to say that he will continue to take an active role in the years to come in advancing the interests of his beloved Nova Scotia and Canada. I am sure I speak for all honourable senators in wishing Senator Buchanan a happy retirement, although the word "retirement" does not seem to suit him.

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, the man to whom we pay tribute today will retire later this month. He has been witness to and a leading political actor in some of the most important and fascinating events in Canada's recent history. A proud Canadian and devoted son of Nova Scotia, Senator Buchanan has made outstanding contributions to his province, to the Senate and to Canada over some 40 years. He was first elected Premier of Nova Scotia in 1978 and won four consecutive terms. His political accomplishments include holding the record of longest-serving Conservative premier in the province's history, exceeding that of the Right Honourable Robert Stanfield. Whether as a cabinet minister or as the premier, he attended every federal-provincial conference from 1968 to 1990. He was signatory to the accord that secured the Canadian Charter of Rights and Freedoms and brought home the Constitution in 1982.

• (1410)

In recognition of his efforts and contributions, he was made a Privy Councillor by the Right Honourable Pierre Trudeau in April of 1982. Appointed to the Senate in 1990, as was observed by Senator LeBreton, he brought the breadth of his skills and experience to our deliberations, whether it be in the chamber or in our committees.

[Translation]

I would mention in particular his considerable contribution as Deputy Chair of the Standing Senate Committee on Official Languages. Last year, in fact, Senator Buchanan, in his committee, completed an in-depth study of education in francophone minority communities, including those in Nova Scotia, which proposed important recommendations to improve its management and funding.

[English]

Senator Buchanan is from Cape Breton and is renowned, as are all Cape Bretoners, for charm, eloquence and resolve. It is said of Cape Bretoners that they are persistent, determined, proud and outspoken. These qualities reflect their island's ruggedness, bold coastline and majestic scenery. Having known and admired Senator Buchanan for many years, I can say that he embodies those qualities and that the character of Cape Breton is indelibly etched into his personality.

Senator Buchanan, we will miss you, your lively mind, eloquence and sense of humour, and we wish you well in your retirement.

Hon. Senators: Hear, hear!

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, Senator Buchanan will be retiring from the Senate, but knowing his energy and enthusiasm, we all expect that retirement has no place in his future.

We can all be confident that Senator Buchanan will continue to be as active in his future endeavours as he has throughout his distinguished career. Prior to being appointed senator, he was elected Premier of Nova Scotia in 1978. He was re-elected in 1981, 1984 and 1988, becoming the third premier in the history of Nova Scotia to be elected to four consecutive terms.

Senator Buchanan: Majority terms.

Senator Comeau: As premier, Senator Buchanan was very supportive of the Acadians of Nova Scotia. He made historic decisions to advance services to the Acadians of Nova Scotia. It can be said that Senator Buchanan set the standard for all future and past premiers in this endeavour. He had three Acadians in his caucus, and he appointed all three to the cabinet. He authorized the Acadian school boards and the French language Acadian schools, the Collège de l'Acadie, the Centre des ressources pédagogiques, and he was very supportive of Université Sainte-Anne, where he was later honoured with an honorary doctorate.

Bilingual signs were not available in Nova Scotia in those days. We had to make our way to our Acadian villages using English signs, but Senator Buchanan said, "That is not good enough. We will have Acadian signs in their home villages in Nova Scotia." In spite of the objections being raised by the bureaucracy in those days, he overruled them and said it is the right thing to do.

Hon. Senators: Hear, hear!

Senator Comeau: Finally, the Acadian areas were to receive a limited-access highway and, of all things, the community was to be divided by a highway which would not permit access. At that time, John Buchanan said, "No, I will do the right thing. The communities and families will stick together." Again, Senator Buchanan would not divide community and family, which was very much appreciated.

John and Mavis are both people persons with extremely good senses of humour. At one time, the media made the claim that Mavis would go to bed without pyjamas. With a twinkle in her eye, Mavis responded that, of course not, she always wore her jewellery to bed. "Besides," she said, "John is a jewel."

In saying "au revoir" to Mavis and John, I would like to repeat John's favourite saying.

May the road rise up to meet you.
May the wind be always at your back;
May the sun shine warm upon your face;
the rains fall soft upon your fields, and until we meet again,
may God hold you in the palm of His hand.

[Senator Hays]

Hon. Jane Cordy: John, John, where have the years gone? Liberals in Nova Scotia have been waiting for many years for you to retire from politics. From 1978 until 1990, when you were appointed to the Senate by Brian Mulroney, you were the premier of our province. As hard as we Liberals campaigned, we could never defeat you.

Nova Scotians loved you because you talked to everyone. You remembered their names and their families. Your home phone number and address were easily accessed in the phone book. I remember a by-election in Cape Breton when you were campaigning very hard for your candidate. You stopped in Dominion at my aunt and uncle's house, long-time Liberals, and you had cake and tea with them on their deck. They never did tell me, but I often suspect that they voted Conservative in that election because the premier took time to visit with them.

John, everyone in Nova Scotia knows that your wife, Mavis, was a powerhouse behind the scenes. I heard the story of a constituent who phoned your home about two o'clock in the morning to ask for some help on a matter. Mavis answered the phone and very nicely spoke to the gentleman. She got the answers to his questions and she got the help that he needed. The next week, she returned the phone call — at two o'clock in the morning.

John, those of us who travel to Halifax will miss the Thursday night flights when you filled the time with your stories. I am not sure, however, if the Air Canada flight attendants will miss you, because when you were at the front of the plane, it took forever to load the passengers because you would know almost everyone on the plane, and they would all stop to have a little chat before sitting down.

My best wishes to you, John, and to Mavis and your family as you begin yet another stage of your life. We all know of your love for our great Nova Scotia, and perhaps you will get to spend some time "out on the Mira on warm afternoons."

Hon. Lowell Murray: Honourable senators, it is always sad to have to note the departure of a Cape Bretoner, even one who has been masquerading as a Halagonian for so many years. I have followed Nova Scotia politics closely for all of my adult lifetime; in fact, most of my childhood, as well. In my observation, no politician in that province connected on a more personal level with more people — and connected more warmly — than did John Buchanan. He has a wonderful affection for his fellow Nova Scotians, and the feeling is mutual. As premier, his devotion to their needs and communities, large and small, is remembered in their hearts as well as on signs, plaques and photographs in numerous public facilities, which he will be glad to show you if you go on a tour of the province with him.

As premier, he worked productively with other governments, regardless of political stripe. God alone knows the full extent of the tradeoffs arrived at between Premier Buchanan and then federal minister Allan J. MacEachen in their various negotiations. We can be certain, however, that Nova Scotia never came out the loser.

I confess that when I was Minister of the Atlantic Canada Opportunities Agency in the Mulroney government, we were no match for Premier Buchanan. Typically, I would arrive in Nova Scotia to be greeted by an announcement he had just made of a major public investment to be launched "pending federal funding." I would find myself answering to a battery of cameras and microphones as to whether I had the cheque in my pocket.

• (1420)

I also saw a great deal of him during the constitutional negotiations of the late 1980s and early 1990s. In that connection, I want to acknowledge with admiration the generous spirit he brought to all issues where national unity was involved. Two matters stand out in my memory: the leadership of Premier Buchanan and of his minister on Aboriginal issues, the late Edmund Morris, and a spontaneous and remarkable gesture of friendship and solidarity he gave to Premier Bourassa in Quebec at especially tense and difficult moments during constitutional negotiations. He made me proud of my Nova Scotia roots.

[Translation]

I too would like to mention, as did our friend Senator Comeau, his hard work on the Official Languages Committee, on which he served as Deputy Chair. Naturally, he was concerned primarily with the interests of the Acadians in Nova Scotia and was enthusiastically involved in our recent study of the conditions they face in his province. His devotion to the Acadian people earned him, as Senator Comeau has mentioned, an honorary doctorate from the Université Sainte-Anne.

[English]

His lengthy experience and his knowledge of many regional and national issues has marked his interventions in the Senate and its committees. He leaves here with the abiding affection and admiration of all his colleagues.

Hon. Senators: Hear, hear!

The Hon. the Speaker: Honourable senators, I know that there are many other senators who wish to speak. We have found a solution. It is my understanding that, with leave, an inquiry will be presented later this day so many other senators can have an opportunity to pay tribute to our colleague.

At this time I would like to call upon Senator Buchanan.

Hon. John Buchanan: Honourable senators, I really do not know the rules that well after all these years, but I have been told I have unlimited time. I want to assure you I will not take all that time, but I might.

Where did Mike Kirby run to?

An Hon. Senator: He knew you were going to speak.

Senator Buchanan: I have something to say about Mike Kirby. Where is he? I told him I was going to say something.

An Hon. Senator: That is why he left.

Senator Buchanan: My, how the years have flown. Those words are taken from a favourite country and western song that Mavis and I love: My, how the years have flown.

Thank you for your kind words, to all of you who have spoken and to all of those who have not yet spoken. I really do not know who you were talking about when you were saying those things.

Before commenting on those words spoken about my time in this place, I wish to say that for almost 40 years in government, politics, the legislature of Nova Scotia, the premier's office, leader of the opposition and here, there is one person who ensured that it all happened, including my eight personal elections in Halifax — my wife Mavis, seated in the gallery. She has been for — listen to this now — 51 years, seven months and seven days —

An Hon. Senator: How many hours?

Senator Buchanan: Yes, I can state the hours too. It is now twelve and a half hours, Halifax time.

Over those years — as many of you who have a spouse who has worked hard on your behalf will know — Mavis has been mother and father. She ran our home. She was a support worker, as well as a political worker in my constituency for the 23 years I served in the legislature and worked throughout the province. I do not think there was ever an election when she was not on a platform with me and supported me. I want to again publicly thank her. She is my Rock of Gibraltar and I will be with her for another 50 years.

Seated next to her is one of our five children, Nickie Morash, and next to Nickie is one of our nine grandchildren, Riley Morash.

For Senator Cordy: Nickie has been a flight attendant with Air Canada for 23 years, and the other attendants say to her from time to time what you said, "Look, would you please tell your father to stop talking to everyone so we can unload the plane."

Senator Cordy, you are absolutely right. Nickie would agree with what you just said.

Senator Cordy is a very honest and true person. The other thing that Senator Cordy is right about is that the Liberals tried and tried and tried to defeat me but never could. However, I think her mother and father did vote for Mike Laffin.

What do you think, Senator Murray?

Senator Murray is from New Waterford too. Mike Laffin represented Dominion in those areas, and Jane knows him very well.

Thank you, Jane, for your very kind words.

When I was invited to come to this chamber, I of course spoke to the Right Honourable Brian Mulroney, but the second person who called me about that appointment was none other than Senator Marjory LeBreton. Of course, Marjory was in Nova Scotia many times, at various meetings, with the Right Honourable Brian Mulroney. I remember one occasion when we had pictures taken at the Sheraton Hotel, and then the press

asked the Prime Minister, "Prime Minister, where will you be leaving for now?" Marjory intervened to say that we had a very important meeting to discuss federal-provincial relations, and we both agreed with that. The press asked me, "Well, where are you going?" We said that we were going to the Chateau Halifax Hotel, as it then was, for serious discussions on federal-provincial matters. Being the very honest people that Brian Mulroney and I are, we certainly did spend three and a half hours together discussing many matters, but three of the matters involved politics.

That did not go over as well as I thought it would.

An Hon. Senator: It is not the first time you have told us that one.

Senator Buchanan: What can I say about Senator Comeau? Gerald Comeau has not only been my colleague for 15 years in the Senate, but he and Aurore, who I believe is up there in the gallery, have been our personal friends for almost 30 years, and that is a long time. I campaigned with Gerald when he ran for the House of Commons, and he always campaigned for me, all over southwestern Nova Scotia, during those years.

Gerald, I am so pleased and happy with your appointment, and yours too, Senator LeBreton, to be the Leader of the Government in the Senate and Deputy Leader, respectively. What a great combination. I think that all of my colleagues would agree. I think that is a great combination.

• (1430)

I do not want to take too much time, but Gerald hit upon something I have to mention to you. We were the government of Nova Scotia for two months, and so I decided as premier that we would have one of our first cabinet meetings at Université Sainte-Anne. We went down to the university. At eleven o'clock in the morning I was scheduled to speak to the students. At 10:30 they came with a car and took me to the high school. I could not believe it; there were about 500 students in the gymnasium. I thought, my gosh, this school is not that big. They had bussed students in from other schools around the Acadian area, from Clare and Argyle.

I got up on the platform, being a brand new premier, and I was introduced by the principal. Guy LeBlanc had prepared a speech for me, a paragraph in French, which I slaughtered at the time and then reverted to English.

Finally I said, "Look, you did not come here today just to listen to me. If you have any questions, please ask them now and I will do the best I can to answer them." The first question was from a young man who asked: "Mr. Premier, why do we not have French signs in this area on our highways?" I said, "Why not?" They all burst into applause and asked whether I would do it, and I said, "Why not?"

I went back to the Université Sainte-Anne where Rollie Thornhill met me at the front door. He asked me, "What did you say? They are saying on the radio all over the French network that you agreed to put up French signs in the Acadian area." I said, "Rollie, why not?" He looked at me and said, "Why not? Let's announce it today."

[Senator Buchanan]

That is how it happened. Gerald, thank you very much.

When I was first elected to the Nova Scotia legislature in 1967, I was elected as a Stanfield candidate. We ran as Progressive Conservatives, but we were known as Stanfield candidates. In my first election, I was supposed to lose badly. They said no one knew me. A person by the name of Percy Baker, who was a very colourful county councillor, as Mike Forrestall and Don Oliver will remember, was going to beat the living you-know-what out of me. I beat him by 952 votes. I could have gotten one more vote out of Indian Harbour, but the guy was away.

I was a cabinet minister under the late Senator G.I. (Ike) Smith. In 1970, our government was defeated, but I was re-elected in Halifax. When that happened, there was a person by the name of Gerald Augustus Regan who became the Premier of Nova Scotia. He thought he was running the Province of Nova Scotia. How wrong he was. As Senator Moore will recall, it was really being run by one Michael Kirby, who is now in the Senate. He is not in the chamber to hear me say this. Mike was chief of staff.

Reminiscing, I know, is dangerous and can lead to all kinds of things that extend time, but when I look back to my first day here, I came down the aisle with my good friend Senator Lowell Murray. We walked down here, and I took the oath of office. On the other arm was one of my dear friends for many years, probably one of the greatest campaigners in Nova Scotia, Senator John M. Macdonald. He accompanied me and I took my seat.

Interestingly, Senator Murray was from New Waterford, Senator Macdonald from North Sydney and John Buchanan from Sydney. We were three Cape Bretoners coming down the aisle and Bob Muir was applauding us all. He was from Sydney Mines. At that time, Cape Bretoners were taking over this place. We still are, with Senator Jane Cordy and the others here.

The interesting thing that I wanted to mention was that they sat me down on that day right in this very seat. Richard Hatfield was over here, Duff Roblin over there and Lowell Murray was seated right there as Leader of the Government at the time. Who was on this side of me? Senator Pat Carney.

Politics is an interesting business. When I was first elected to the legislature, I was a cabinet minister on the government side. We lost the election and moved across to the opposition side.

They say the opposition is always looking to defeat the government and the government is looking to make sure the opposition does not come back over. I moved back and forth all the time. I was over here, then over there, then over here in the legislature. In this chamber, I was sitting here, then I went over to where Senator Joyal is now sitting, and I am back over here again. What comes around goes around, even in politics.

Senator St. Germain is sitting here now, but they told me I could sit here today only because it was my seat back then.

I also want to say something about Senator Pat Carney. The trouble with politics is that one accomplishes things that are sometimes forgotten over the space of time. Senator Carney helped in a big way to negotiate the 1986 Nova Scotia and Newfoundland offshore oil and gas agreements.

Pat, you and I, Joel Matheson and others handled the agreements back then that forged the way for all the money that came to Nova Scotia and Newfoundland through the offshore agreements. I thank you publicly today because you have not been given the credit that you deserve with regard to those agreements.

Senator Carney: I noticed you still gave me second billing.

Senator Buchanan: Of course, I was the premier.

Senator Carney: I was the Minister of Energy, Mines and Resources.

Senator Buchanan: Pat, I gave you so much credit.

I want to mention someone else today. Senator Murray referred to Allan J. MacEachen. There is no doubt in my mind, and I have said this many times, that he is probably one of the best political grassroots politicians in Canada. He had a love for Nova Scotia, particularly Cape Breton, that was unmatched by anyone but myself, of course.

Allan J. and I made so many agreements together — not deals — for Nova Scotia. Another minister came on the scene by the name of Senator Pierre De Bané. He was almost a match for Senator MacEachen in the deal — or agreement — that we made on the shores of the Northwest Arm. Rollie Thornhill, Senator De Bané and I marched along the water where the agreement was struck. Allan J. said to Senator De Bané one day, “I think you are too close to Buchanan.” Senator De Bané is a dear friend of Nova Scotia and a great personal friend of mine. I remember that later I was at a big function in Halifax on one of the Italian ships. Senator De Bané was also there, and I will not name the others. I will say that I picked up 70 per cent of the Italian vote in Halifax. Senator De Bané and some of his party from Montreal were having difficulty finding a place to have dinner that evening. I asked him where he had tried to find something. He said, “Look, we have tried four restaurants.” I said, “Leave it with me.” I called one restaurant. I got him and his group the nicest table at a restaurant right on Halifax harbour. They cleared the tables for him. Is that not correct, Senator De Bané?

• (1440)

Senator De Bané: Absolutely.

Senator Buchanan: I never tell a lie. That is true.

I now want to make mention of Mike ForreSTALL. Mike ForreSTALL can owe his political existence to his campaign co-managers in his election way back in the 1960s. I was campaign co-manager of Mike ForreSTALL's first election back then. He won it and every election from then on. He was a member of Parliament for 24 years. Mike, you are here, and you have been a member of the House of Commons, and you have been a tremendous Nova Scotian over all of those years.

I want to mention some “Mount A'ers” who are here. I was a graduate of Mount Allison University, with my science and engineering degree and with an honorary doctorate in engineering. Where is Senator Michael Meighen? He is not here,

either. Senator Meighen has his honorary doctor of laws; I have one, too. My classmate, Senator Marilyn Trenholme Counsell, MLA, cabinet minister, lieutenant governor, senator, medical doctor and Mount Allison graduate, is right over there. I am so pleased she is over there. There is also Senator Callbeck, MLA, MP, the first female premier in Canada, the premier of Prince Edward Island and a Mount Allison graduate. Senator Bryden is also a Mount Allison graduate. Senator Day is from Mount Allison University, too, right?

Senator Day: No, my daughter.

Senator Buchanan: Oh, his daughter is a graduate.

I want to mention two other people. One of them is my dear friend, former chairman of the Official Languages Committee, Senator Corbin. I want to congratulate him on the way he ran that committee. He ran it efficiently and conducted it with aplomb. I remember when I was invited to be deputy chair of the committee and I asked, “Why me?” He simply said, “I am Acadian French; you are Scottish anglophone.” How simple the official languages of Canada. That is why I became the deputy chairman of the committee.

I have had people tell me Senator Banks is without a doubt probably the greatest musician ever in Canada.

Some Hon. Senators: Hear, hear.

Senator Buchanan: Harry Currie made sure I would say that. He is a dear friend of Senator Banks and a friend of mine. Furthermore, he is a graduate of Mount Allison University.

Senator Cordy mentioned a call at two o'clock in the morning. I remember a call I received at five a.m. on a cold, snowy morning. My telephone number changed all the time, but I reached over to pick up the phone, only to hear, “Is that the premier?” I replied, “Yes, it is.” I was then asked, “Has your road been ploughed?” I said, “What?” I was asked again, “Has your road been ploughed?” I got up, crawled across the bed, looked out and returned to the phone and said, “Yes, it has.” The caller then said, “Well, my road has not been ploughed. My husband has to be at work in an hour. What are you going to do about it?” and she hung up. I haven't a clue who she was. Those types of things can happen.

Senator Hays and I have a mutual friend. He is a Liberal, unfortunately, but he is one of the greatest guys in the world. He is a Mount Allison graduate, too. His name is Robert Goss, but we called him “Gumper Goss”. Dan and I have had many talks about him. He used to sit in the bleachers of Mount Allison University. He would watch the football games. He was a great football player; unfortunately, I was not that good. I will never forget this. We were there with Doc Pullin. They called me Hunk Buchanan — I don't know why, but they did. Hunk Buchanan, Gumper Goss and Doc Pullin were sitting all together and Gumper Goss said, “Do you see that fellow out there? That's my brother. Boy, he is a great football player!” Almost as good as me. Senator Hays knows what I mean by that, and I had to throw it in.

I have had a good, long ride in politics. It may not be over, who knows? I still have energy. Maybe Mavis will divorce me if I do anything else. I have had bumps along the road, but for the most part it was smooth. Do you know why politics can be smooth, wonderful and delighting and so enjoyable? It is because of people like you, my friends and my colleagues all along the way who have made it a great run for me. I thank you. May the road rise up to you, may the wind be always at your back, may the gentle rains fall upon your heels, may the sun shine bright on your countenance and may the good Lord hold all members of the Senate in the palm of his hand forever. Au revoir.

[Translation]

THE LATE CORPORAL ROBERT COSTALL

TRIBUTE

Hon. Lucie Pépin: Honourable senators, the funeral service for Corporal Robert Costall took place today. His remains, however, were returned to Canada on Saturday. I was very moved during the ceremony by the dignity with which his 20-year-old wife Chrissy Costall received the coffin of our fellow Canadian who died in combat in Afghanistan.

I was really tempted to tell this young woman — just 20 years old — how proud she can be of her man. He gave his life to bring peace to a country looking for a way out. She will be able to tell their year-old son that his father died for a noble cause, that of ensuring world peace.

[English]

I wish to tell Chrissy Costall that we recognize that she and all other soldiers' spouses are heroes, just as our soldiers are heroes. We do not say much about these women when we talk about the Canadian Forces, but they are there, always at their spouses' side. These women are equally dedicated to the Canadian Forces. Their lives, too, are shaped by the military, with its frequent moves and a lifestyle a world apart from that of civilians. These women and their children live in unique circumstances and often face financial, professional, personal and emotional challenges.

• (1450)

[Translation]

Over the past few years I have seen their remarkable courage, especially when their spouses are posted abroad. During these times, they cope with the daily anxiety of knowing that their spouses are in a dangerous place. They quietly tolerate this pressure and all the comments, debates and rumours surrounding the deployment of their spouses abroad.

I invite you, honourable senators, to show your support to the spouses and children of our soldiers every chance you get. Their daily lives offer us many reasons to express our support.

I want to share my utmost recognition of the Canadian Forces for their determination. The growing danger of their missions has not affected their resolve to fulfill their duty at the expense of the ultimate sacrifice. Rest in peace; rest in peace, Corporal Robert Costall.

[Senator Buchanan]

[English]

OUTSTANDING YOUNG FARMERS' PROGRAM

CONGRATULATIONS TO 2005 AWARD RECIPIENTS STEVE REEVES AND JESSICA FRANCIS

Hon. Elizabeth Hubley: Honourable senators, in this age of high technology and urban post-industrial enterprise, agriculture is sometimes looked upon as a backward, unsophisticated way of making a living — not at all the preferred career path for ambitious, educated young Canadians. It is unfortunate that today so few have the opportunity or the desire to farm, to choose agriculture as a profession and lifestyle. The reasons for this are many. In spite of common perception, farming is a sophisticated profession requiring specialized skills and knowledge. New farmers often face huge start-up costs and the financial rewards are modest and unpredictable.

Notwithstanding all of this, the family farm continues to be a proud Canadian institution, and I am pleased to say that many young men and women, against all odds, still choose farming. Prince Edward Island has a rich farming tradition, and agriculture remains our leading industry. At its annual conference in Halifax last November, Canada's Outstanding Young Farmers' Program named Steve Reeves and Jessica Francis of Freetown, Prince Edward Island as the 2005 award recipients. This is the third time in three years that a farm couple from Atlantic Canada has been recognized in such a manner.

Reeves and Francis operate Brookhill Holsteins and Reeves Farms Inc. in partnership with Steve's father. From a herd of 30 unregistered cows with low milk yields, Steve and Jessica, along with their six-year-old son Luke, have worked to reach purebred herd status with milk production rising dramatically every year.

These outstanding young farmers are committed to building their farming operation to change with the industry, especially the need to be responsive to consumer demands for quality and environmental stewardship. "We fenced off a lot of streams and ponds on our 250-acre farm," said Steve, "but that was something we wanted to do. My son likes to fish in the same pond his grandfather used to fish as a boy and we want to keep that going for future generations."

The president of Canada's Outstanding Young Farmers' Program, Mr. Gary Meier, had this to say about Steve's and Jessica's achievement:

Family has long been a vital ingredient in Canada's successful farming operations...and this year's winners show us how valuable these partnerships are to a sustainable business. Farming has always been about innovation, and this couple balances the wisdom of their parents with their own ideas and vision for the future...

Honourable senators, I know you will join with me in offering congratulations to Steve Reeves and Jessica Francis, two of Canada's outstanding young farmers.

SUPPORT FOR TRAUMATIZED WOMEN AND GIRLS

Hon. Nancy Ruth: Honourable senators, on April 17 we mark the twenty-fourth anniversary of the Canada Act, 1982 and its schedule, the Constitution Act of 1928. We also mark the twenty-first anniversary of the commencement of constitutional equality rights in Canada. They constitute the supreme law of the land and they have a very long shelf life.

Canadians consistently say that these two acts represent our values and our aspirations for our country and for all who live here, whatever their circumstances.

The Constitution Act, 1982 places positive obligations on lawmakers — on us. These obligations are part of our job description and our responsibility.

In the Persons case, the Judicial Committee of the Privy Council said:

The British North America Act planted in Canada a living tree capable of growth and expansion within its natural limits.

I want that living tree to provide shelter for the historically disadvantaged and dispossessed, particularly women and families who live in poverty and live with violence.

Last spring, this Senate passed the New Veterans Charter to encourage wellness and to help traumatized veterans achieve independence. We can and we should be doing the same for traumatized women and girls. In 2000, 27,000 sexual offences, mostly sexual assault, were reported in Canada; that is 70 women a day, three an hour, and most under the age of 18. Women are overwhelmingly the victims of stalking and spousal homicides. More than 95,000 traumatized women and children were admitted to shelters last year; that is 360 a day. However, shelters cannot meet the day-to-day need. Perhaps a women's charter might.

The benefits we gave veterans we should give to women and girls suffering from society's violence. Think about the justness and the unjustness we have done in passing the New Veterans Charter in terms of women's and girls.

Honourable senators, think about it.

ENCOUNTERS WITH CANADA PROGRAM

LOSS OF FUNDING

Hon. Jim Munson: Honourable senators, I rise on this occasion to bring your attention to some discouraging news. The decision by the Conservative government to cut funding to the non-partisan Canadian Unity Council will scrap valuable programs such as Encounters with Canada and the Summer Work Student Exchange.

Today I wish to focus on Encounters with Canada, a program geared toward teaching youth from diverse backgrounds about this country. As many honourable senators already know, Encounters with Canada is a one-week program with Canadian

studies held at the Terry Fox Canadian Youth Centre in Ottawa from mid-September to early December and from late January to early May. More than 138 high school students aged 14 to 17 come from across the country to our national capital for a once-in-a-lifetime opportunity.

As a senator, I have met the students of Encounters with Canada, as have many of you from both sides of this chamber. Think about how much enjoyment we have had with these young people. This program taught — past tense — young Canadians about the diversity of this land, about the many different people that make up our country and about the importance of this diversity for the strength of our economic and social fabric.

I wish to share a quote from one Encounters with Canada participant in February 2005:

Wow! Where to start? This has definitely been the best week of my life! I'm going to encourage everyone I meet from now on to sign up for this. I met so many new people that I know are going to be life-long friends. I drastically improved my second language, and I got an opportunity to learn about different parts of our amazing country. If every kid experienced this, the world would be a better place. You guys are amazing! Thanks a billion for a great week!

Honourable senators, seeing this kind of enthusiasm for our country is worth every cent that we put into this program. Where else could students from Campbellton or Bathurst, New Brunswick exchange their vision for this country with their peers from Powell River, British Columbia in such an open and inclusive way?

I am disappointed that our young citizens are being forgotten. The Harper government's agenda ignores this country's future — our children.

I urge all honourable senators to put pressure on the Prime Minister and cabinet ministers, including the cabinet minister here today, to keep this program. This is an important program. A country as vast and diverse as ours needs these programs in order to grow. Our future depends on an informed and engaged youth, young people who care about Canada and about all things in Canada. Encounters is a program that does just that. We need Encounters. As parliamentarians, we need to act to save it.

• (1500)

THE LATE CORETTA SCOTT KING

Hon. Donald H. Oliver: Honourable senators, Coretta Scott King, the widow of the Reverend Martin Luther King, Jr., and a renowned champion of human rights and racial harmony, passed away on January 30 at the age of 78.

Ms. King was born in rural Alabama, but rose to become an international symbol of the civil rights movement in the United States in the 1960s. She tirelessly advocated for women's rights, the struggle against apartheid in South Africa and other social and political issues.

It was 1954 when Ms. King first became involved in the civil rights movement. Her husband Dr. Martin Luther King had become a key figure in the Montgomery, Alabama bus boycott, an event which propelled the Kings into national prominence.

After her husband's assassination, Ms. King took over his leadership role in the movement. As a leader, she quickly developed her own style and found some of her own causes. She began to speak of gender as well as race; she wanted women to "unite and form a solid bloc of women power to fight the three great evils of racism, poverty and war."

Ms. King went on to lead the effort to establish a national holiday in her husband's honour and founded the Martin Luther King, Jr. Center for Nonviolent Social Change in Atlanta, an institution with a proud history of both scholarship and activism.

Ms. King became a director of the National Organization for Women and the Southern Christian Leadership Conference. She supported a cross-section of international human rights issues, including the struggle against apartheid in South Africa.

In addition to such accomplishments, Ms. King successfully raised four children, who were still young at the time of their father's death.

Ms. King was a truly inspirational figure. Her tireless work to create equality for people of colour and for women, to end apartheid and the war in Vietnam, has given thousands the resolve to carry on the work to which she and her husband were so devoted.

The world will miss her.

[Translation]

ROUTINE PROCEEDINGS

CANADIAN HUMAN RIGHTS TRIBUNAL

2005 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table the annual report of the Canadian Human Rights Tribunal for 2005, in accordance with subsection 61(4) of the Canadian Human Rights Act.

[English]

COMMITTEE OF SELECTION

FIRST REPORT OF COMMITTEE PRESENTED

Hon. Terry Stratton, Chair of the Committee of Selection, presented the following report:

[Senator Oliver]

Thursday, April 6, 2006

The Committee of Selection has the honour to present its

FIRST REPORT

Pursuant to Rule 85(1)(a) and 85(2) of the *Rules of the Senate*, your Committee wishes to inform the Senate that it nominates the Honourable Senator Losier-Cool as Speaker *pro tempore*.

Respectfully submitted,

TERRY STRATTON
Chair

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

Senator Stratton: Honourable senators, with leave, later this day.

The Hon. the Speaker: Is leave granted, honourable senators?

On motion of Senator Stratton, with leave of the Senate and notwithstanding rule 58(1)(g), report placed on the Orders of the Day for consideration later this day.

SECOND REPORT OF COMMITTEE PRESENTED

Hon. Terry Stratton, Chair of the Committee of Selection, presented the following report:

Thursday, April 6, 2006

The Committee of Selection has the honour to present its

SECOND REPORT

Pursuant to Rule 85(1)(b) of the *Rules of the Senate*, your Committee submits herewith the list of Senators nominated by it to serve on the following committees:

STANDING SENATE COMMITTEE ON ABORIGINAL PEOPLES

The Honourable Senators Campbell, Dyck, Gill, Gustafson, Hubley, Lovelace Nicholas, Peterson, Segal, Sibbeston, St. Germain, P.C., Watt and Zimmer

STANDING SENATE COMMITTEE ON AGRICULTURE AND FORESTRY

The Honourable Senators Callbeck, Christensen, Fairbairn, P.C., Gustafson, Mahovlich, Mercer, Mitchell, Oliver, Pépin, Peterson, Segal and Tkachuk

STANDING SENATE COMMITTEE ON BANKING, TRADE AND COMMERCE

The Honourable Senators Angus, Biron, Eyton, Fitzpatrick, Goldstein, Grafstein, Harb, Hervieux-Payette, P.C., Massicotte, Meighen, Moore and Tkachuk

STANDING SENATE COMMITTEE ON ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

The Honourable Senators Angus, Banks, Carney, P.C.,
Cochrane, Fox, P.C., Hervieux-Payette, P.C., Lavigne,
Milne, Peterson, Sibbeston, Spivak and Tardif

STANDING SENATE COMMITTEE ON FISHERIES AND OCEANS

The Honourable Senators Adams, Baker, P.C., Campbell,
Comeau, Cowan, ForreSTALL, Gill, Hubley, Johnson,
Meighen, Rompkey, P.C. and Watt

STANDING SENATE COMMITTEE ON FOREIGN AFFAIRS

The Honourable Senators Andreychuk, Corbin, Dawson,
De Bané, P.C., Di Nino, Downe, Mahovlich, Merchant,
Segal, St. Germain, P.C., Smith, P.C. and Stollery

STANDING SENATE COMMITTEE ON HUMAN RIGHTS

The Honourable Senators Andreychuk, Carstairs, P.C.,
Dallaire, Lovelace Nicholas, Kinsella, Munson,
Nancy Ruth, Pèpin and Poy

STANDING SENATE COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

The Honourable Senators Andreychuk, Baker, P.C.,
Bryden, Cools, Furey, Jaffer, Joyal, P.C., Milne,
Nolin, Oliver, Rivest and Ringuette

STANDING JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT

The Honourable Senators Johnson, Lapointe, Oliver,
Poy and Trenholme Counsell

STANDING SENATE COMMITTEE ON NATIONAL FINANCE

The Honourable Senators Biron, Cools, Cowan, Day,
Eggleton, P.C., Fox, P.C., Mitchell, Murray, P.C., Nancy
Ruth, Ringuette, Rompkey, P.C. and Stratton

STANDING SENATE COMMITTEE ON NATIONAL SECURITY AND DEFENCE

The Honourable Senators Atkins, Banks, Campbell, Day,
ForreSTALL, Kenny, Meighen, Poulin and Watt

STANDING SENATE COMMITTEE ON OFFICIAL LANGUAGES

The Honourable Senators Champagne, P.C., Chaput,
Comeau, Jaffer, Losier-Cool, Plamondon, Robichaud, P.C.,
Tardif and Trenholme Counsell

STANDING COMMITTEE ON RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

The Honourable Senators Andreychuk, Bryden,
Carstairs, P.C., Cools, Corbin, Cordy, Di Nino, Joyal, P.C.,
Losier-Cool, McCoy, Mitchell, Robichaud, P.C.,
Smith, P.C., Stratton and Tardif

STANDING JOINT COMMITTEE FOR THE SCRUTINY OF REGULATIONS

The Honourable Senators Biron, Bryden, De Bané, P.C.,
Eyton, Harb, Moore, Nolin and St. Germain, P.C.

STANDING SENATE COMMITTEE ON SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

The Honourable Senators Callbeck, Champagne, P.C.,
Cochrane, Cook, Cordy, Eggleton, P.C., Fairbairn, P.C.,
ForreSTALL, Keon, Kirby, Pèpin and Trenholme Counsell

STANDING SENATE COMMITTEE ON TRANSPORT AND COMMUNICATIONS

The Honourable Senators Adams, Bacon, Carney, P.C.,
Dawson, Eyton, Johnson, Mercer, Merchant,
Munson, Phalen, Tkachuk and Zimmer

Pursuant to Rule 87, the Honourable Senator Hays
(or Fraser) and the Honourable Senator LeBreton, P.C.
(or Comeau) are members ex officio of each select
committee.

Respectfully submitted,

TERRY STRATTON
Chair

The Hon. the Speaker: Honourable senators, when shall this
report be taken into consideration?

Senator Stratton: Honourable senators, with leave, later
this day.

The Hon. the Speaker: Is leave granted, honourable senators?

On motion of Senator Stratton, with leave of the Senate and
notwithstanding rule 58(1)(g), report placed on the Orders of the
Day for consideration later this day.

DRINKING WATER SOURCES BILL

FIRST READING

Hon. Jeremiah S. Grafstein presented Bill S-208, to require the
Minister of the Environment to establish, in cooperation with the
provinces, an agency with the power to identify and protect
Canada's watersheds that will constitute sources of drinking
water in the future.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill
be read the second time?

On motion of Senator Grafstein, bill placed on the Orders of
the Day for second reading two days hence.

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

ANNUAL SUMMIT OF PACIFIC NORTHWEST
ECONOMIC REGION, JULY 14-18, 2005—
REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the Canada-United States Inter-Parliamentary Group's fifteenth annual summit on the Pacific Northwest Economic Region held in Seattle, Washington, from July 14 to 18, 2005.

NATIONAL GOVERNORS ASSOCIATION ANNUAL
MEETING, JULY 15-18, 2005—REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the Canada-United States Inter-Parliamentary Group's annual meeting of the National Governors Association held in Des Moines, Iowa, from July 15 to 18, 2005.

COUNCIL OF STATE GOVERNMENTS
EASTERN REGIONAL CONFERENCE, JULY 25-28, 2005—
REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the Canada-United States Inter-Parliamentary Group's forty-fifth annual meeting and regional policy forum on the Council of State Governments Eastern Regional Conference held in Montville, Connecticut, from July 25 to 28, 2005.

ANNUAL MEETING,
SEPTEMBER 30 TO OCTOBER 3, 2005—REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the Canada-United States Inter-Parliamentary Group's forty-sixth annual meeting held in St. Andrews by-the-Sea, New Brunswick, from September 30 to October 3, 2005.

• (1510)

[Translation]

THE SENATE

NOTICE OF MOTION TO ACCOMMODATE
SENATORS SPEAKING ANCESTRAL LANGUAGES

Hon. Eymard G. Corbin: Honourable senators, I give notice that on Tuesday, April 25, I will move:

That, the Senate should recognize the inalienable right of the first residents of the land now known as Canada to use their ancestral language to communicate for any purpose; and

That, to facilitate the expression of this right, the Senate should immediately take the necessary administrative and technical measures so that senators wishing to use their ancestral language may do so.

NOTICE OF MOTION TO URGE GOVERNMENT
TO STUDY IMPACT OF LEGISLATION
ON REGIONS AND MINORITIES

Hon. Pierrette Ringuette: Honourable senators, I give notice under Rule 57(1) that, at the next sitting of the Senate, I will move:

That the Senate urge the government to accompany all government bills by a social and economical impact study on regions and minorities in accordance to the Senate's role of representation and protection of minorities and regions.

[English]

THE HONOURABLE JOHN BUCHANAN, P.C., Q.C.

INQUIRY

Hon. Catherine S. Callbeck: Honourable senators, with leave of the Senate and notwithstanding rule 57(2), I give notice that later this day I will call the attention of honourable senators to the contributions to the Senate made by Senator John Buchanan, who will retire on April 22, 2006.

The Hon. the Speaker: Is leave granted honourable senators?

Hon. Senators: Agreed.

Motion agreed to.

QUESTION PERIOD

AGRICULTURE AND AGRI-FOOD

FARM INCOME CRISIS AND DISASTER RELIEF

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I would like to return today to the subject of agriculture, in recognition of the continuing demonstration by farmers that we see on the Hill. My question is to the minister responsible for everything in this place other than Public Works, the Leader of the Government in the Senate.

I believe I understand the answers she gave yesterday to specific questions on the development of programs. We will look forward to those programs as they unfold and return to them as that happens and, of course, return to them if that does not happen, to draw attention to the importance of the government proceeding with its new programs.

There was an announcement yesterday, however, by the Minister of Agriculture, Mr. Strahl and, I gather, on behalf of the Minister of the Environment as well, Ms. Ambrose, with regard to ethanol. It highlights one of the ways in which farmers may be helped in using cereals to provide feedstock for the production of ethanol. The commitment is to have five per cent of motor fuels contain ethanol or a biofuel by 2010.

Is there any way, given the crises that we are made aware of by the demonstration and by the statistics, some of which we touched on yesterday, that the time frame within which this can happen can be shortened? 2010 is a long way off from 2006 when the sector is in crisis.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I would like to thank the Leader of the Opposition for that question. In terms of shortening the time, I will definitely have to take this question as notice and respond at a later time.

Senator Hays: As a supplementary, the Standing Senate Committee on Agriculture and Forestry conducted a study in 2004 on value added and made a recommendation that the government — and I think it is as strong for this government as for the previous government — provide assistance to the producers who wish to form cooperatives, the exact name of which I have forgotten, which have been eligible for and have been given grants, although none in Canada have yet gone into operation. They are very common in the United States, but they require government assistance in terms of loan guarantees and grants.

I ask the minister if she supports this and, if she does, will she take to her colleagues in cabinet the proposal from the Agriculture Committee to use grants and aid programs to assist producers who wish to produce ethanol to meet the objectives of the program that was announced yesterday?

Senator LeBreton: Honourable senators, yes, I will commit to the Leader of the Opposition to take this request to my cabinet colleagues and, in particular, the Ministers of Agriculture and the Environment.

Hon. Joyce Fairbairn: Thank you very much, Your Honour, and congratulations to you on your new position.

I listened to Senator Segal yesterday, but I want to say congratulations to somebody who has been a friend of mine for, I would say, 42 years — not 40, but 42 — when I was a young journalist and she was a young woman working with Flora MacDonald and trying to keep Mr. Diefenbaker on track as we went off on buses across the country. That friendship has remained all these years. I think she is a very good choice for a very tough job, and I say that with a sense of past experience.

It is not surprising that my first question today involves the challenges facing our farmers across this country and very much in my own corner of southwestern Alberta.

Yesterday I stood out in that bitterly cold rally on Parliament Hill for two hours listening to what was said. Over the past three years, public focus has been on the cattle industry, the devastation of BSE, and the closed border with the United States and many other countries; but throughout it all, disaster was also building in the grain and oilseeds parts of the industry, as we have heard repeatedly from our colleague Senator Gustafson, who is right at the heart of the sector. Yesterday's event was an outpouring of near despair from those agricultural leaders and spokespersons, who conveyed the message not of panic but of extreme concern

about the industry due to international subsidization, rising fuel prices, a high dollar and devastating weather that has swept across the prairies with a vengeance in the past few years, with no indication that it will stop. They recognize the financial assistance of levels of government, but at this time they made it clear they cannot wait for budgets. They are asking for emergency funding for seeding so that they can at least have the chance to grow crops and bring in some substance for their families and have a brighter year for their next crop.

Could the minister indicate if a special effort is being considered to bring that assistance to the farmers in this period, very close to seeding, farmers who are still at the very heart of our agriculture and its strength and also its very drastic situation at this time?

Senator LeBreton: Honourable senators, I thank my honourable colleague for her question. I thought I would be hearing a question on the subject of literacy. Normally, Senator Fairbairn bends my ear about literacy every chance she gets. I appreciate the concerns of the honourable senator and I will try to find the answer.

• (1520)

As I said yesterday, on the very day we were sworn into government, the government sped up the payment of \$750 million in emergency income support. We are committed to adding \$0.5 billion per year to income support totalling \$2.5 billion over the next five years.

Mr. Strahl, the Minister of Agriculture and Agri-Food Canada, met with the farm leadership yesterday and, as has been pointed out, Senator Gustafson has made great representations. I commit that this government will do everything possible to speed up assistance to farmers. Also at issue is the potential flooding in Manitoba, as reported in the news.

Senator Fairbairn: I thank the honourable leader for her response. In absolute fairness, the farmers are appreciative of efforts that have been made over recent years to put substantial sums of money into a variety of programs, but one question remains at the forefront of their concerns. Although it seems early in Ottawa to begin seeding, would the Minister of Agriculture and Agri-food consider some way to provide seeding assistance to farmers quickly so that they might produce a viable crop this summer, barring climatic disasters? There is an understanding of the current system and what has been discussed in the past, but what lies ahead in the future? Could a seeding program be developed quickly, in conjunction with the provinces, to give farmers that chance?

Senator LeBreton: I heard Minister Strahl when he addressed the farmers and I know that they appreciated the \$750 million that was sent immediately after February 6. Many members of Parliament in our government represent rural communities. The most important message that those members, Minister Strahl and I can send to the farmers is that this government truly appreciates them and will work hard with them to speed up the process to provide them with the funds they need to get their crops in the fields.

PUBLIC WORKS AND GOVERNMENT SERVICES

FUNDING OF ENVIRONMENTAL PROGRAMS

Hon. Tommy Banks: Honourable senators, my question is for the Honourable Minister of Public Works and Government Services, whom I have not yet welcomed to the Senate but would take this opportunity to do so.

Public Works and Government Services, being one of the largest departments, spends approximately \$13 billion per year on the acquisition and provision of goods and services to other departments. In the interests of sustainable development, Public Works and Government Services, Environment Canada and Natural Resources Canada have become the three co-champions of the greening of government operations by way of setting an example for the rest of the country. With the leadership of these departments, the government has made considerable progress in respect of the greening of government operations over the past few years.

Public Works and Government Services Canada has had four stated goals: first, to green the department's operations as a custodian and provider of facilities and common-use office space to federal departments; second, to green the services that are provided to federal departments and agencies as a common service agent; third, to green the department's internal operations; and, fourth, to provide national and international leadership in the greening of government operations.

Would the minister undertake to the Senate and to Canada that full funding to continue these programs will exist in his department under his government?

Hon. Michael Fortier (Minister of Public Works and Government Services): I thank the honourable senator for his kind words of welcome and his question.

Frankly, it would be irresponsible for the government and the country, given the amount of money spent on procurement, to not think about greening efforts and to not focus on those issues. The program, which began before I was sworn in as minister, will continue. For example, on the real estate side, the program includes saving energy and, when replacing automobiles, ensuring that hybrid automobiles are considered first before any other automobiles. These efforts will continue, as they should, given the amount of money that government spends on the purchase of assets each year in Canada.

Senator Banks: I do not know whether the minister is familiar with an initiative called Federal House in Order, which was a quasi-organization. There was also a council of deputy ministers or assistant deputy ministers from various government departments to try to coordinate these efforts that was led by the honourable minister's department and the other two named earlier. Will those initiatives continue?

Senator Fortier: I am not aware of the initiative, but I will undertake to consult departmental officials to provide me with that information. As I said earlier, anything in respect of greening is important to me, as an individual, and to my department.

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

EMPLOYMENT INSURANCE
COMPASSIONATE CARE BENEFIT

Hon. Sharon Carstairs: Honourable senators, I congratulate the new Leader of the Government in the Senate. Having sat in that seat, I know how onerous the duties can be, and I wish her well. I would also welcome the Honourable Senator Fortier.

My question is for the Leader of the Government. On January 4, 2004, the new Compassionate Care Benefit came into effect under the Employment Insurance program. I was delighted that it received support from both sides of the chamber. I know that the honourable senator opposite supported that initiative. However, it is not working as effectively as it should work. The number of weeks are too few and, more importantly, the definition of "family member" is too narrow.

On December 3, the previous government gazetted changes to the definition of "family member" so that the patient could determine who would be the care giver. However, that change has not been proclaimed yet. Could the honourable senator tell me when the government intends to proclaim this provision?

Hon. Marjory LeBreton (Leader of the Government): The honourable senator is quite right. In September 2004, first ministers agreed to give Canadians better access to home palliative care services. The government is committed to working with the provinces and territories to improve Canadians' access to quality palliative and end-of-life care.

As the honourable senator is aware, federal and provincial governments are making great progress on identifying the services that will be paid for by provincial and territorial insurance plans, and all of these plans are expected to be reported by the end of 2006.

I will take as notice and report back to the Senate on the honourable senator's question in respect of the item gazetted on December 3.

Senator Carstairs: I thank the honourable leader for taking it as notice. A change is needed and would be welcomed by the 220,000 Canadians who die each year and who require palliative and end-of-life care by family members or by those they designate as care givers. An additional 30,000 Canadians die a sudden death each year.

• (1530)

My supplementary question is to the Minister of Public Works who, because he sits on the Treasury Board, could push this forward and make it a certain change for the people of Canada. Will he lobby for this change?

Senator LeBreton: Honourable senators, in fairness to Senator Fortier, I will take that question. There is no doubt that Senator Carstairs is very passionate about this issue, and so she should be. My own mother, at 96 years old, is in this situation and has, for four years now, required very good quality care, which fortunately she is able to get through a wonderful organization

here in Ottawa at St. Patrick's Home. On behalf of my colleague and other members of the cabinet, I will commit to the honourable senator that we will determine what has happened to the item that was gazetted on December 3.

[Translation]

OFFICIAL LANGUAGES

COMMITMENT TO LINGUISTIC DUALITY

Hon. Claudette Tardif: Honourable senators, the government promised during the election campaign that it would create a francophone secretariat within Canadian Heritage. In its Speech from the Throne, the government failed to recognize linguistic duality as a fundamental Canadian value. It is making no promise to promote linguistic duality and is not talking about creating the francophone secretariat or transferring the responsibilities from the Privy Council to Canadian Heritage.

My question for the minister is as follows: is the government saying to Canadians and the francophone and Acadian communities that linguistic duality is no longer a Canadian value and that it does not intend to make official languages a priority of the Prime Minister and the Privy Council?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank Senator Tardif for her question. The short answer is that we are not in any way taking measures not to recognize the linguistic duality of the country. As a matter of fact, if the honourable senator had been following the Prime Minister during the recent election campaign — which obviously she was not — and since that time, she would know that his commitment to francophone communities not only in the Province of Quebec but elsewhere in the country is absolutely paramount. As an anglophone who did not have the opportunity to learn a second language, I am extremely proud that this Ontario-born, western Prime Minister, in almost every instance, starts off his statements and his press conferences by speaking in the French language.

[Translation]

TRANSFER OF RESPONSIBILITY TO DEPARTMENT OF CANADIAN HERITAGE

Hon. Claudette Tardif: I have another question. I want to thank the minister for her assurances. I am well aware that the Prime Minister speaks French and I am quite proud of that. However, my question is as follows: if linguistic duality is still a priority of the government and of the Prime Minister, why did you transfer this responsibility from the Privy Council, which is the central agency supporting the Prime Minister and cabinet, to Canadian Heritage? What are the roles and responsibilities of Minister Josée Verner vis-à-vis the Minister of Canadian Heritage Beverley J. Oda?

[English]

Hon. Marjory LeBreton (Leader of the Government): The answer to the question about whether linguistic duality is a priority of the government is yes. In terms of the ministers who are responsible, I know both Minister Oda and Minister Verner will be very diligent in promoting linguistic duality in this country.

THE CABINET

REPRESENTATION OF PRINCE EDWARD ISLAND

Hon. Catherine S. Callbeck: Honourable senators, before asking my question to the Leader of the Government in the Senate, I should like to first congratulate her on her new duties.

The Prime Minister named his cabinet on January 23 and every province is represented in that cabinet with the exception of Prince Edward Island.

Some Hon. Senators: Shame!

Senator Callbeck: This means that P.E.I. is the only province in Canada that does not have a direct voice at the cabinet table. To represent Montrealers, the Prime Minister appointed the Minister of Public Works and Government Services. Given that there is a vacancy for P.E.I. in the Senate, why did the Prime Minister not also appoint a Prince Edward Island senator to serve in cabinet?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank Senator Callbeck for her question and her congratulations. If there was one statement that she made with which I agree, it is that it is a shame that we did not elect a Conservative in Prince Edward Island.

With regard to appointing a senator from Prince Edward Island, the honourable senator will know that Premier Binns is very vocal on all issues regarding Prince Edward Island, as is Minister MacKay, who, in addition to his responsibilities at Foreign Affairs, is also the Minister responsible for ACOA. Premier Binns has discussed the possibility of a province-wide, federally-run election to elect a member from Prince Edward Island.

Senator Callbeck: Honourable senators, the fact is that there is a vacancy here right now. That fact is that Prince Edward Island does not have a voice at the cabinet table. The Prime Minister chose to appoint the Minister of Public Works and Government Services to represent Montrealers, so why has he not chosen to appoint a senator from Prince Edward Island to represent us at the cabinet table?

Senator LeBreton: Honourable senators, I appreciate the senator's interest in having appointed senators, but actually we are looking at another model. I can say that Prince Edward Island, although we unfortunately did not have success in any one of the four seats, is extremely well represented in the cabinet by Minister MacKay.

Senator Callbeck: Honourable senators, I thank the minister for her response, but how long does Prince Edward Island have to go without a representative at that cabinet table? She mentioned the member from Central Nova representing our interests. That is not good enough. That minister is the Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency. He is the political minister for Nova Scotia. He has a constituency and other responsibilities. He has very little time to devote to the

interests and the concerns of the people of Prince Edward Island. Why has the government not recognized that they made a mistake and immediately appoint a Prince Edward Island senator to represent the province at the cabinet table?

• (1540)

Senator LeBreton: Honourable senators, I agree that it is very unfortunate that Prince Edward Island did not elect a Conservative member and therefore has —

Some Hon. Senators: Oh, oh!

Senator LeBreton: I love Prince Edward Island. Perhaps I should represent Prince Edward Island, since I love it so much.

I will express to the Prime Minister the great concern of Senator Callbeck that Prince Edward Island does not have representation in the cabinet.

Hon. Tommy Banks: Honourable senators, I have a supplementary question. I have been advised by friends who are legally trained never to ask a question to which you do not know the answer — it is possible to have friends who are legally trained.

The Leader of the Government has said that the problem of non-representation of Prince Edward Island will be solved, in some reasonably foreseeable term, I presume, perhaps by the device of an election. If a member of a party other than the government party finds success in that election and Prince Edward Island still has no representation at the cabinet table, what then would be the government's plan?

Senator LeBreton: Honourable senators, I do not think I said the issue would be resolved shortly. As Senator Banks would appreciate, I do not answer hypothetical questions.

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-ninth Parliament.—(*1st day of resuming debate*)

Hon. John G. Bryden: Honourable senators, on behalf of the official opposition in the Senate I would like to extend our very best wishes to Her Excellency as she continues so very capably and admirably to conduct the important work of her office.

[Senator Callbeck]

Yesterday, congratulations were offered to our new office-holders in the Senate, and I add my voice to those congratulations. In the interests of time, I will not repeat them.

I do want to congratulate the mover and the seconder of the motion relating to the Speech from the Throne. Their vigorous, informative and entertaining speeches were much appreciated and proved once again that no matter how hard one tries one cannot make a silk purse out of a sow's ear.

I would like to speak about two items that have some substance. Those items are child care and tax cuts.

First, on the matter of child care, let us be clear what is at stake. There are approximately 2 million children under the age of six in this country. Of these children, 1.3 million have mothers in the paid workforce, but only one in five of these 2 million young children have access to regulated early learning and child care spaces.

After years of work at both the federal and provincial levels, the Government of Canada concluded agreements with each of the 10 provinces based on a nationally shared vision for early learning and child care. The agreements identify principles and goals for early learning and child care, establish clear and measurable objectives, detail eligible areas for investment and funding levels, ensure accountability, identify how governments would report to Canadians, and commit governments to collaborating on knowledge and best practices. As long as the universal goals of quality, inclusion, accessibility and development are maintained, provinces have the flexibility to implement programs that address their specific needs and objectives.

Prime Minister Harper has served notice that his government will trash these agreements next March 31. Instead of the Harper government continuing to work with the 10 provinces to build upon and fund this hard-earned initiative between the Government of Canada and the 10 provinces of Canada, the Harper government proposes, first, \$1,200 each year to families for each child under the age of six and, second, a system of tax credits to encourage the private sector to create child care spaces in the workplace and in the community.

The Caledon Institute of Social Policy, a highly respected social policy think tank here in Ottawa, studied the Conservative plan and found that, while the face value of the child care allowance is \$1,200, the scheme's true value would be considerably less. By increasing the taxable income of families, the payments would trigger reductions in income-tested benefits and increases in taxes.

The overwhelming majority of Canadian families would end up with a Child Care Allowance worth considerably less than \$1,200 per child. The biggest losers would be modest-income families earning in the \$30,000-\$40,000 range.

The Child Care Allowance is unfair because it would pay working poor and modest income families smaller benefits than middle and upper income families. It is doubly unfair because it would favour one-earner families (where daddy works and mom stays home) —

— or mom works and daddy stays at home —

— over single-parent families and two-earner parent families.

Honourable senators, I will be very clear about this. I will use as examples three families that each earn \$50,000. The family with one earner out of two parents would receive \$1,049 per year of the promised \$1,200. The family with two earners would receive only \$827 of the \$1,200. The one-parent family would receive the least — \$802 out of the promised \$1,200. None would receive the full \$1,200. In addition, the amount each would receive is almost the inverse of what I would have thought each needs. Two-earner couples and single-parent families absolutely require child care. It is the single-earner families that usually have the option of having one parent stay at home and care for the child or children.

It is a fact that most single parents work. However, you cannot work if you do not have child care. You cannot go to school, whether to finish high school, to get a college degree, or to retrain or upgrade your skills unless you have child care. Child care is essential for poor families who are struggling to climb the welfare wall. Yet, these are the families that would receive the least under the proposed system. This is wrong, honourable senators. This is bad public policy.

• (1550)

Single mothers have the highest poverty rates for all types of families in Canada. We worked hard over the past decade to change this, with significant success. In 1996, 52.7 per cent of single mothers were considered low income. This figure dropped to 38.8 per cent in 2003 and then dropped even more, to 35.6 per cent in 2004. The reason? Single mothers were becoming more successful at finding jobs. However, honourable senators, a single mother cannot hold a job without access to good quality, affordable child care. Instead of building on this success and working to further improve the position of single mothers and their children, the Conservative government, by its childcare “policy,” could well undo the significant gains enjoyed by those Canadian families in the greatest need.

The amounts that would be paid under the proposed policy are patently inadequate to cover the costs of child care. According to the Caledon study, based on available statistics up to 2004, the parent fees for full-time, centre-based daycare for infants range from \$6,000 to \$12,000 a year and, for toddlers and preschoolers, from \$5,000 to \$8,000. In fact, this money — that is, the \$1,200 for those who get it — is not a child care allowance; it is what used to be called a baby bonus. It is a return to the old family allowance, a throwback to a policy introduced in Canada in the 1940s and, ironically, repealed by the Conservative government of Prime Minister Brian Mulroney in 1993. In other words, honourable senators, those of us who suspected this government wanted to turn back the clock on women in the workforce and families were right. This policy is structured to encourage two-parent families, with one parent in the workforce and the other at home. They are the ones who benefit the most at the expense of those families, those children who need the money the most. I guess we should not be surprised that this Prime Minister would look to the 1940s and 1950s to find a suitable social policy vehicle for the 21st century.

Before I leave this issue, let me also address the part of the plan that supposedly would create much-needed child care spaces. The Conservative plan proposes a system of tax credits to encourage employers to create child care spaces in the workplace or in the community. Last Sunday, the *Ottawa Citizen* devoted a special report to the Conservative child care plan. It noted:

The tax incentive approach proved a failure when Mike Harris tried it in Ontario; child care advocates claimed not a single space was created as a result.

I repeat, “not a single space.”

There is another aspect, however, to this issue that causes me concern. This government has stated its intention to cancel agreements concluded between the federal government and each of the 10 provinces. These were not political deals, hurriedly concluded during an election campaign or signed under questionable circumstances. This was not like the agreement signed by then Conservative Prime Minister Kim Campbell during the 1993 election to privatize Pearson International Airport and have it operated by the friends of former Prime Minister Brian Mulroney. These were a series of federal-provincial negotiations resulting in agreements concluded between the federal Government of Canada and the governments of each province, of all political stripes. There was no impropriety nor has any been alleged; indeed, provinces have protested and continue to protest the planned cancellation of these agreements.

Honourable senators, the provinces have relied upon these agreements and encouraged social agencies and others to set up child care agencies. To quote again from the Caledon study:

The Conservative promise —

— to cancel the agreements —

— means that the provinces would once again get the rug pulled out from under their feet, leaving them to pay the full cost alone.

Maybe this does not matter in revenue-rich Alberta. But in provinces such as Manitoba and the Atlantic provinces, it would be a big cost that they can ill afford. It would really mean that poorer provinces would now have no fiscal room for any other social initiatives. The provinces cannot just start and stop programs on a whim. Why should the provinces believe that any future federal-provincial deals will be honoured? We cannot run a federalist country in this manner: Close and ongoing cooperation between the two orders of government is essential to a strong federation.

I would add this: Why should other nations believe that any future agreement signed with the Government of Canada will be honoured? If we will not honour agreements concluded with our own provinces — agreements signed with all our provinces, which the provinces want upheld — why would the government not be equally prepared to cancel agreements with foreign countries? What credibility will we have on the international stage, honourable senators? A much reduced credibility.

I should not be surprised that this government's agenda is focused primarily on helping the rich get richer, without caring about the concerns of ordinary Canadians.

On the tax cut issue, this government proposes to reduce the GST by 1 percentage point, down to 6 per cent, with a further reduction by another point, to 5 per cent, over five years. In order to pay for this, however, they will cancel the tax cuts introduced by the previous government and passed by this Parliament — tax cuts that are now in place and reducing the taxes being paid by Canadians, especially lower income Canadians. In particular, the former government increased the personal tax exemption by \$500. They also lowered the lowest personal income tax rate to 15 per cent from 16 per cent. These measures are now providing individual taxpayers with immediate personal tax savings of up to \$325 this year.

Honourable senators, these tax cuts are being cancelled by Prime Minister Harper. He has said that tax cuts do not help all Canadians, as they do not help those Canadians whose income falls below the tax-paying threshold. In fact, by raising the personal tax exemption, many lower income Canadians are being significantly helped. Prime Minister's Harper's argument is that all Canadians benefit from the GST reduction.

Honourable senators, I think Prime Minister Harper is a little out of touch with the reality of day-to-day living. It is true that all Canadians will see a reduction in the cost of many things they buy if a 1 per cent GST cut is passed. However, in most cases that reduction is so minimal as to be almost meaningless — pennies and loose change, literally — and certainly its value to Canadians pales in contrast to the increase in personal income taxes that the Conservatives will be imposing to pay for this silly promise.

Large purchases will see significant savings, it is true. I have read that particular individuals are postponing purchasing \$30,000 plasma TV sets, Porsches and other high-cost items. A 1 per cent GST cut will indeed result in significant savings to these Canadians.

• (1600)

Honourable senators, maybe this is the difference between Liberals and Conservatives. Saving people money on big-ticket items is not something that keeps me awake at night. It is nice, of course, but not a priority.

The Hon. the Speaker: I am sorry to interrupt, but I must advise the honourable senator that his time has expired.

I am sure that if he sought permission from the house for a little extension —

Hon. Gerald J. Comeau (Deputy Leader of the Government): We on this side would agree to an extension of five minutes.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Senator Bryden: That seems pretty fair from the other side since they got an extra 15 minutes yesterday.

Senator Tkachuk: The opposition wanted to ask questions.

Senator Bryden: I would give you a chance to ask questions, but you are using up my extra time.

Honourable senators, saving money on big ticket items is nice, of course, but not when you have to pay for those savings by increasing the taxes paid by people at the other end of the income spectrum, people who struggle to buy milk and bread for their kids and other food items. By the way, these items do not get the GST break because they do not have GST.

Ordinary families do not have many \$30,000 luxury items to purchase, such as plasma TVs or fancy sports cars. Ordinary families do not buy Rolex watches for \$5,000; they buy Timex watches for \$19.88. A GST savings of 1 per cent saves those Canadians the princely sum of 19 cents. Ordinary families do not buy Gucci shoes; they buy Levi's blue jeans that cost them \$42. The GST savings on a \$42 pair of blue jeans is 42 cents.

Ordinary families buy school supplies for their kids. I bought a package of Canadiana pencils the other day. They cost \$1.43. The total GST was 10 cents. A family buying those pencils would save a penny with the Prime Minister's GST reduction.

Honourable senators, do not misunderstand. Every penny helps, I know that. However, making good policy also demands good choices. The same family that would save one penny here and 19 cents there, with a 1 per cent GST cut could save hundreds of dollars by keeping the tax reduction that is currently in place.

Under the tax cuts that are presently in place and that people are currently benefitting from, a typical two-earner family with two children, earning \$60,000 a year, would save \$435 for 2005 and an additional \$499 in 2006, for a total of \$934. A typical single person earning \$40,000 would save \$320 for 2005 and \$359 for 2006, for a total of \$679.

In the Speech from the Throne the government said that cutting the GST is the best way to lower taxes for all Canadians, including low-income Canadians who need it most. That is simply not true.

The proposed 1 per cent GST cut is a skewed policy to help the wealthy few at the expense, literally, of poorer and middle-income Canadian families. This is not good public policy, it is not good social policy and it is not good economic policy.

Prime Minister Harper's own Minister of Finance, the Honourable Jim Flaherty, when he was a member of the Ontario legislature, in 2001, said that it would be a mistake to cut the GST. He said that is a short-term hit with no long-term positive gain for the economy. He said that he was not interested in such "short-term, knee-jerk actions."

An Honourable Senator: Say it isn't so.

Senator Bryden: I guess he did not know back then to clear his statements first with Mr. Harper, or perhaps his thinking has evolved.

The experts are pretty much all in agreement, honourable senators, that a GST cut is terrible economics. It does not provide any incentive for individuals to save or invest in things like further education or training. It does not promote growth or productivity. Other tax cuts, like the ones already in place, are the way to go, definitely not the GST.

Honourable senators, there is no guarantee — and this is very important — that Canadians would ever see the 1 per cent cut in taxes. Earlier this week, the press was reporting that François Legault, known as a key member of the Parti Québécois caucus, wants to offset any reduction in the —

The Hon. the Speaker: Honourable senators, we are well beyond the five more minutes. Order.

Hon. Terry Stratton: How much longer does Senator Bryden plan to continue? Perhaps he could be specific.

Senator Bryden: Yes, I will be specific. Honourable senators will miss the best stuff, and I apologize for that. I do want the finish this, but the real zingers are yet to come. I have two pages to finish and then I will stop, perhaps two minutes.

The Hon. the Speaker: Is it agreed, honourable senators, that Senator Bryden have two more minutes?

Hon. Senators: Agreed.

Senator Bryden: I say this for my fans on this side and for those on the other side: I will take the two minutes, but I will not waste the zingers in a hurry. I will keep them and bring them back later.

Honourable senators, François Legault, known as a key member of the Parti Québécois caucus, wants to offset any reduction in the GST with an increase in the Quebec Sales Tax to pay the province's debt and invest in education. He is reported to have some prominent supporters for this idea, including former PQ premiers Lucien Bouchard and Bernard Landry, along with the heads of the University of Montreal, the University of Quebec at Montreal, former provincial Liberal cabinet — how did he get out of the pen? — Claude Castonguay, and head of the province's business community.

Honourable senators, I only have a minute. Pay attention.

The 1 per cent GST cut, derided by experts, is the only economic element of this government's policy plan for Canada.

What about productivity and growth, innovation, research and development? What about the investment in training and education? We are facing competition from emerging giants like India and China. What is Prime Minister Harper's plan to position Canada to succeed in this new world? A 1 per cent cut in our domestic GST, after having increased our income taxes will not do it, honourable senators.

What is the plan to enable us to compete in the global marketplace or for skilled immigrants to be integrated into our communities? What is the plan to help young people afford to

obtain the education and training that they need to seize their potential? Where is the plan to position our colleges and universities to continue to attract the best and brightest faculty and students?

Honourable senators, I am so proud that the Liberal government of the past decade put in place policies like the Canada Research Chairs. These policies have been working. Policy wonks all over the world are writing about Canada and its brain gain instead of its brain drain. Where is the plan to build on this foundation, to continue to position this nation for success?

I could go on and on, senators.

Some Hon. Senators: No!

Senator Bryden: Let me finish my sentence.

Senator LeBreton: You have 30 seconds left.

• (1610)

Senator Bryden: I have this written down and there are still some things to address, but being conscious of the time and your sensibilities, I will end my statement.

Hon. Terry Mercer: Honourable senators, I welcome the opportunity to offer my comments on the Speech from the Throne.

I am honoured to acknowledge Senator Kinsella and to congratulate my esteemed colleague on his appointment as Speaker. I am confident that, as our new presiding officer, he will execute with due diligence the responsibilities of interpreting almost 1,000 years of parliamentary procedure in what may be a rather short Parliament.

I also want to acknowledge and congratulate all other senators who have assumed new roles in our hallowed chamber, especially our new government officials: Senators LeBreton, Stratton and Comeau. I am confident this will be a lively session, and I look forward to it.

Honourable senators, the Senate of Canada is a place of enormous talent and diversity. From time to time, distinguished members of this chamber have been chosen to be ministers of the Crown and to head important government departments.

In recent memory, we can recall the ministerial expertise of those serving as senators and ministers concurrently: Senators Austin, Olson and Perrault in the Trudeau years; Senators Carstairs and Fairbairn in the Chrétien years; and, of course, our favourite Progressive Conservative, Senator Murray in the Mulroney cabinet.

It is one thing to summon an individual to be a senator and to be the government leader at the same time, as was the case with my friend Senator Boudreau not long ago, but it is entirely another matter to suddenly whisk someone into this place to head a government department of such enormous importance. This is particularly important when that department has been the subject of controversy since the very beginning of Confederation.

The great wonder surrounding the unprecedented rise of the Minister of Public Works to this place, ostensibly to represent the city of Montreal, is that there are already two eminently qualified senators from Montreal who were overlooked when the Prime Minister was cabinet-making. They were cast aside unceremoniously. Their loyalty, expertise and eminent record of public service were totally irrelevant.

The Senate experience of the two gentlemen of whom I speak is certainly sufficient for them to understand the important nuances of the current issues of Canadian public affairs. I am certain there is no doubt about their considerable knowledge of the business of government and their high level of good judgment, requirements sufficient enough for the services as a minister of the Crown.

Honourable senators will know that I am speaking of our distinguished colleagues, the Honourable Senators Angus and Nolin. These gentlemen have been properly and appropriately silent. What is more noteworthy is their grace in being overlooked and rejected in such an inelegant fashion by the Prime Minister. I am quite certain that their unspoken response may give us an important clue as to the reason for their current status as outcasts. Simply, they are far too sophisticated and decent to be included among the gang surrounding the current Prime Minister.

I draw your attention to the very short agenda provided by the new government in the pamphlet from the Speech from the Throne. Certainly, the needs of Nova Scotians have been ignored, but what about the needs of Quebec and Montreal? The two Montreal senators are both bilingual lawyers, have extensive business and political experience, have eminent association with significant national philanthropic organizations, and their loyalty to their parties is impeccable. Also, as an important qualification for their roles as ministers, they are both superb communicators and downright decent folk.

Honourable senators, another matter of great importance is the attitude of the current Prime Minister toward the city of Toronto. Is there a cabinet ban on Toronto? Are Montreal and Toronto not comparable centres of culture and commerce? While the Prime Minister moved very quickly to include Vancouver representation in cabinet, let us ask ourselves, why not Toronto? The last time there was a ban on cabinet representation from Toronto was in the 1940s and the early 1950s. Is Toronto being punished for rejecting the current Conservative Party, the party that has been negatively viewed by Torontonians as they watched the boiling of the Alliance/Reform recipe in the period of neo-Conservative gestation?

An Hon. Senator: Say that again!

Senator Mercer: Since 1957, Toronto has always had representation, regardless of the colour of the party in power and in recognition of its importance to the nation. Shall I point out that there are three eminently qualified Conservative senators from Toronto who could have brought distinguished representation to cabinet?

Of course, honourable senators, I should talk to you about Senators Eyton and Di Nino, who have been with us in this chamber for 16 years. They are also senators with business

experience, particularly in the field of banking in Toronto, where commercial banking interests are very important. They have stellar philanthropic records in universities and benevolent organizations, and they have the expertise that would be very useful to the cabinet, indeed the nation.

Then there is Senator Cools. Also from Toronto, she is in a rare class all by herself. A veteran of 22 years in the Senate, she is a natural wit, an authority on parliamentary procedure and sundry other matters, and a well-known defender of all sorts of causes. However, Senator Anne Clare Cools has had, it appears, absolutely no recognition from the new old boys in the Langevin Block. This indeed is surprising given the enthusiastic welcome the Prime Minister gave this famous Senate floor crosser when she joined the Conservative Party. On June 8, 2004, when he lured her across the floor, the Prime Minister said:

Senator Cools has an impressive record of public service...in the Senate, she has elevated the level of debate...she has persisted in holding the government accountable...she has long earned my respect and now my support in joining the Conservative caucus in the Senate.

What a mouthful. Do you find that Senator Cools' omission from the cabinet is passing strange? I do.

I can imagine the flurry of activity currently in the offices of these three Toronto senators and the enormous pressures on their limited Senate staff and limited Senate resources each day in the unforgivable climate of pressure that they have because there is no cabinet representation for the city of Toronto. Their offices must be filled with endless correspondence and an unrelenting parade of those seeking favours. The absence of cabinet representation for Toronto is a truly scurrilous way to treat a city of several million people.

Perhaps we should advertise to the people of Toronto that there are senators who are mandated to help them. We should make certain that everyone in Toronto has their telephone numbers, since no office has been advertised or declared as the focal point for the federal care and feeding of those good people of Toronto who are currently being neglected by this Prime Minister. Since Senator Cools in particular has designated herself the senator from Toronto Centre-York, the over-arching onus may be on her to be the Toronto minister. When one chooses a Toronto designation, it is assumed one has mandated oneself to serve the people of Toronto. Perhaps we should give out that phone number. There is a 1-800 number to reach us all, and it is 1-800-267-7362. If anyone wants to get a hold of those three senators, they can call that number.

It is said that the Prime Minister tries to get around this Toronto problem by ordering one of his ministers from far-away Whitby, a little community in Eastern Ontario, to drive into Toronto from time to time to see if everything there is all right. This is both insulting and demeaning to the people of Toronto. I am sure, given her increasingly high profile in this matter, the people of Toronto would prefer to contact Torontonians senators such as Senator Cools or Senator Di Nino or Senator Eyton.

Finally, honourable senators, there is the Prince Edward Island issue. Wait. This is hardly just a P.E.I. issue; it is an issue for all Atlantic Canada. The fact that there is currently no cabinet representation for Prince Edward Island is equally troublesome and unacceptable as the lack of cabinet representation from Toronto, but for different reasons.

• (1620)

Prince Edward Island is the cradle of our Confederation. It is where critical negotiations took place that led to the birth of our nation. It has full provincial status and everything that that status would give it. Does it not deserve and require the dignity of cabinet representation?

Since 1873 Prince Edward Island has had 17 ministers of the Crown representing its interests in Ottawa. What is more, there is currently a vacancy in this chamber from that province, so there is absolutely no excuse for the Prime Minister to refuse to include cabinet representation for Prince Edward Island, especially when Montreal's cabinet representation was appointed in a similar manner to fill that exact role. What a bunch of hypocrites.

To suggest that a minister from another province should be responsible for the people of Prince Edward Island is a gratuitous insult to its citizens. My province of Nova Scotia must endure a minister who represents many portfolios. Peter MacKay is the Minister of Foreign Affairs, Minister responsible for ACOA, Minister responsible for Nova Scotia, and now Minister responsible for Prince Edward Island. That is another mouthful.

Perhaps in his free time Minister MacKay would like to visit my family at the cottage at Caribou River from where at least you can see Prince Edward Island on a clear day.

Honourable senators, the overarching disaster is that Atlantic Canada cabinet representation has been slashed by 25 per cent. The "Reform-A-Tories" never achieved any meaningful traction in Atlantic Canada. Their vision of our home is dramatically different from that of the rest of our nation.

To reinforce the lack of resonance of this party in Atlantic Canada, the present Prime Minister, in May 2003, scornfully declared that the entire region's political landscape was a culture of defeat. Is it any wonder that we rejected the Harper gang? I have already called upon the Prime Minister and the Minister of Finance to assure Atlantic Canadians that the important deals on offshore gas and oil that were signed by the previous government will be honoured. We need appropriate assurances. Unfortunately, we are still waiting for them. They were absent from the Speech from the Throne.

As indicated on Tuesday, the present government has turned a new leaf, but what is under that leaf? What is next; cutbacks to ACOA? The new government has already slashed funding for the Canadian Unity Council, effectively killing programs such as Encounters with Canada, as my colleague Senator Munson said earlier.

Is the government prepared to visit the students of my old high school, St. Patrick's High School in downtown Halifax, and tell those students that they cannot experience what thousands of other students have in the past?

What can be said about the Prime Minister's rhetoric on his intention to do government business in a new way? What can be said about his instant coronation of a certain Vancouver floor-crosser cabinet minister when, at the same time, he stomps on the dignity of the people of Toronto and Prince Edward Island by excluding them from the centre of national power?

Tory times are hard times. Unfortunately, Canadians are left with confusion, disappointment and even disgust.

Honourable senators, I expected to see something in this Speech from the Throne on the need to continue the development of a highly skilled work force to meet the demands of labour in provinces like Nova Scotia. I expected to see funding and policy for post-secondary education and productivity, especially in Halifax where we have a high percentage of universities and community colleges. However, I saw nothing.

Honourable senators, I am disappointed by the lack of vision by this new Conservative government. Canada is a model for the world at a time when the economy is extremely strong and our fiscal situation has never been better, thanks in large part to former Prime Minister Jean Chrétien and his Finance Minister, Paul Martin.

Honourable senators, I sincerely hope that, during what I hope is a vigorous debate on many issues, this government does the right thing, that it honours its commitments to Canadians and also that it does not destroy what it took us so long to achieve.

On motion of Senator Comeau, debate adjourned.

[Translation]

BUSINESS OF THE SENATE

MOTION TO CHANGE COMMENCEMENT TIME ON WEDNESDAYS AND THURSDAYS AND TO EFFECT WEDNESDAY ADJOURNMENTS ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of April 5, 2006, moved:

That, for the remainder of the current session,

- (a) when the Senate sits on a Wednesday or a Thursday, it shall sit at 1:30 p.m. notwithstanding rule (5)(1)(a);
- (b) when the Senate sits on a Wednesday, it stand adjourned at 4 p.m., unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned; and
- (c) where a vote is deferred until 5:30 p.m. on a Wednesday, the Speaker shall interrupt the proceedings, immediately prior to any adjournment but no later than 4 p.m., to suspend the sitting until 5:30 p.m. for the taking of the deferred vote, and that committees be authorized to meet during the period that the sitting is suspended.

Motion agreed to.

[English]

COMMITTEE OF SELECTION

FIRST REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the first report of the Senate Committee of Selection (Speaker *pro tempore*), presented in the Senate on April 6, 2006.

Hon. Terry Stratton moved the adoption of the report.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and report adopted.

SECOND REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Senate Committee of Selection (nomination of Senators to serve on Select Committees), presented in the Senate on April 6, 2006.

Hon. Terry Stratton moved the adoption of the report.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and report adopted.

THE HONOURABLE JOHN BUCHANAN, P.C., Q.C.

INQUIRY DEBATED

Hon. Catherine S. Callbeck rose pursuant to notice of earlier this day:

That she will call the attention of honourable senators to the contributions to the Senate made by Senator John Buchanan, who will retire on April 22, 2006.

She said: Honourable senators, I am pleased to pay tribute to a friend and a colleague, the Honourable Senator Buchanan. Although we belong to different political parties, Senator Buchanan and I have much in common. We are both proud to have been born on an island, he on Cape Breton and I on Prince Edward Island. As Senator Buchanan has mentioned, we went to the same university, Mount Allison. We were both members of provincial legislatures, and became premiers of our respective Provinces of Prince Edward Island and Nova Scotia, and we have both served our common region of Atlantic Canada in the Senate. It has been a great privilege and pleasure for me to serve in the Senate alongside someone who has served with such great distinction.

Throughout his political life, Senator Buchanan has made a truly outstanding contribution to his province, his region and his country. I speak from experience in saying that it is no easy task to lead a province in a region such as Atlantic Canada which faces significant economic and social changes. I know that Senator Buchanan served his province with a great deal of dedication and commitment to the well-being of his fellow citizens. Since his

appointment to the Senate he has continued to take an active role in his long-standing interests in areas such as energy, the environment, natural resources, and legal and constitutional affairs. He has always remained true to his roots in Cape Breton. Even today he can be prevailed upon to render a fine rendition of *Out On The Mira*.

Senator Buchanan, your friendship and your outstanding contributions have earned you a special place in the hearts of your colleagues. I wish you and Mavis a long and happy life.

• (1630)

Hon. J. Michael Forrestall: Honourable senators, I do not know where to begin to pay tribute to John Buchanan. He is a youngster, was not elected as often as I and has not been around nearly as long, but we started together. I will be here a little while longer.

John is the only man I know in public life who, at the age of 75, still works the bus every morning and every afternoon. He says hello to everybody. He is the only man I know who can go into a room of 200 people and meet every single person in that room, know most of them on the way in and say good-bye to them on the way out 15 or 20 minutes later. What is remarkable about that is that every one of those individuals thought for a moment or two that he and John Buchanan were the only two people in the room. That is a gift from God. We know he was first elected in 1970.

Senator Buchanan: 1967.

Senator Forrestall: I have to be corrected — 1967, and again in 1970, 1974, 1978, 1981, 1984, 1988; a long, long career. Each time, he had huge majorities. He never had the 20,000 or 22,000 majorities that I had. He did just as well. He was first appointed to the cabinet in Nova Scotia, and I am surprised someone did not mention this today, by a former colleague in this chamber, the Honourable George Isaac Smith, who, of course, was the premier of our great province.

John became the leader of the party in 1971 at home and the leader of Her Majesty's Loyal Opposition. He was elected premier in 1978, and fondly, with a significant amount of devotion and hard work by Mavis and by hundreds and hundreds of people from Yarmouth to Meat Cove.

It has been said here this afternoon that Senator Buchanan was instrumental in a number of important factors in the development of our province. He brought the Nova Scotia Progressive Conservative Party back together at a time when there could have been a wide split. He did it through his personal popularity and his unbelievable capacity for work in the field of politics. He made it truly the party that Stanfield had started, that John Hamm has just passed on to young Rodney MacDonald, another Cape Bretoner. They cannot get rid of them.

As a point of fact, most of the major changes in Nova Scotia and in Halifax came on John Buchanan's watch, whether it was constitutional change, the offshore projects, or the development of our magnificent waterfront. Nova Scotia owes its offshore oil and gas revenues to his hard work and to several John Buchanan governments. No city is as beautiful, or has the waterline or skyline, or is as handsome as that of Halifax and Dartmouth.

Senator Buchanan has been a tireless ambassador for Nova Scotia and will forever be remembered for his work in establishing the Nova Scotia International Tattoo, getting it off the ground and nurturing its development, to become certainly one of the finest military tattoos in the Commonwealth.

As we have heard today, John played a large part in constitutional patriation as a member of what one could call the Gang of Eight, and he was one of Prime Minister Brian Mulroney's top allies during the Meech Lake Accord negotiations.

Honourable senators, I conclude with this thought: I can remember in 1997 when the NDP was on an upswing in Nova Scotia and how they decried Dr. Savage's government for lack of action on child poverty, and how they longed for the days previous when Nova Scotia enjoyed the third-lowest child poverty rate in Canada. What the NDP did not say was that it was under the caring guidance of Premier John Buchanan that social services and health care were brought front and centre in our great province. It was under John's watch that Nova Scotia had the third-lowest child poverty rate in all of Canada.

There is no better tribute to the man than good words about great accomplishments. Even in 1997, honourable senators, for very apparent reasons to those who know him, after leaving the premiership for the Senate, polls taken in the province showed that John Buchanan was still the favourite choice for premier by 65 or 70 per cent of the people in Nova Scotia. Perhaps they knew he was not going to come back. To John and his beloved wife, Mavis and the children, you have been front and centre in so many of our lives for so many years. It is good to see you here.

John, before you leave this chamber today, I have two requests; one I must insist upon. I want the refrain and the chorus from *Out on the Mira*. That is how it would be to be with them again.

Honourable senators, I conclude by asking the leave of the chamber to make a small motion to the effect that tributes paid to Senator Buchanan at this stage be included with those made earlier in the day in their appearance in today's Hansard.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Leave is granted.

[Translation]

Hon. Pierre De Bané: Honourable senators, I too would like to pay tribute to my friend, Senator Buchanan. Politics is a job that, ideally, requires many qualities in its practitioners. The most important is, beyond a doubt, a love of people, of our fellow citizens.

[English]

Senator Buchanan's speech today was the best proof of those human qualities that he has. He is such a humane and generous person. I have served in Parliament for 38 years, being elected in 1968, and I have seldom met others who relate to ordinary citizens

in the way that he does. He finds genuine fulfillment in helping other people. I understand well why Mavis fell in love with the man who has such a big heart and is so generous. I have known him for over 25 years and his human touch and ability to pay attention to everyone have impressed me a great deal. I have not met many others who are so sensitive to the aspirations and needs of Canadians.

• (1640)

When I was Minister of Regional Economic Expansion, I met regularly in Ottawa or in Nova Scotia with then Premier Buchanan. I seldom worked with someone who could make work such a pleasure while remaining so highly devoted to improving the economic situation of all Nova Scotians in all regions of his province. Of course, it was natural and easy for me to bring my modest contribution to his endeavours. When I served in cabinet, Allan J. MacEachen, the elder statesman and senior member of that government, once told me that I was getting too close with Premier Buchanan. Of course, I confided this to Mr. Buchanan.

It is not surprising that Senator Buchanan, after his first election to Parliament in 1967, was re-elected year after year after year. In that first year, he was Minister of Public Works and three years later he became leader of his party. In 1978 he was elected Premier of Nova Scotia and in 1990 he accepted his appointment to the Senate by then Prime Minister Mulroney.

Knowing Senator Buchanan has meant a great deal to me — he has been a great inspiration. I have watched a man who genuinely cares for other people. Given his academic background in law and engineering, one could easily have expected him to hold a more theoretical view of the world, but no, he was close to everyone.

I express my affection and thanks to you, Senator Buchanan, to Mavis and to your five children.

Hon. Marilyn Trenholme Counsell: Honourable senators, I thank dear Senator Buchanan for the very kind words that he offered on my behalf; I was touched. As a former minister of the family, I was far more touched by the magnificent tribute that he paid to his wife. That has moved me most today.

When I think of the Honourable Senator Buchanan, I think of the class of 1954 at Mount Allison University. In offering this tribute, I trust, dear John, that I am reflecting the sentiments of all your Mount Allison classmates, near and far. We feel an immense love for you. After all, you gave us nothing but smiles, hugs, good wishes and genuine friendship. Your good nature touched us when we were happy and sad, and, yes, all of us girls thought of you as a "hunk." I think Mavis did, too. She knows more about that than we do.

Outwardly, you did not take life too seriously, but inwardly, you had a strong and wise instinct for friendship that has served your whole life well. Life has taken us in many directions, but we all knew about your remarkable premiership of Nova Scotia. You connected with people over and over again, and they rewarded you with their support in four successive majority governments. Under your leadership, Nova Scotia grew and all of Atlantic benefited because you made your province a leader nationally and internationally.

In this chamber, I have listened only a few times to your charming portrayal of your beloved province. More often, our heart-to-heart chats have told me that your passion is still alive and well for the little people and the big ideas — the essentials of any successful career in politics — and that defines you more than anything I could say differently.

Dear Senator Buchanan, may you enjoy wellness and life to the fullest in the years ahead. Who knows what will come next? God bless you, Mavis and your family.

Hon. David Tkachuk: Honourable senators, coming from Saskatchewan one might wonder why I would be getting up to give a tribute to John Buchanan because, after all, I never voted for him.

Politicians often get a bad rap. It is said that they only follow the polls and do what is popular. However, in the 1980s John Buchanan and Grant Devine, then my premier, became good friends because, at great political risk to themselves, they supported the Meech Lake Accord. Mr. Devine took quite a beating for that but was steadfast, never moving from that position of support; and he admired Premier Buchanan for doing the same.

I will quote from a newspaper article:

When the ballots were counted, the Conservative party, headed by Premier John Buchanan, won the election handily, with 42 of 52 seats. The Liberals captured six seats and the NDP won three...

The 1984 election was Buchanan's third consecutive victory as [Conservative] leader, and he would go on to win a fourth in the next election in 1988.

Four consecutive victories, the third one with a greater than 80 per cent majority. That is no mean feat under any circumstances. In fact, only 18 premiers across 10 provinces and two prime ministers, over nearly 140 years, have been able to match that feat. In modern times it is exceedingly rare. John belongs to an exclusive group.

John Buchanan is the quintessential Maritimer and, in that capacity, an inveterate storyteller. In John's case, as he gets older, it is often the same story.

• (1650)

My friend and John's, Grant Devine, whose rhetoric often soared much like his and who prided himself always on the number of people he knew, was amazed on his first trip to Nova Scotia, as it seemed John knew everyone in his province. He told me that, at the airport, he could not believe that John knew everyone by their first name.

As Premier of Nova Scotia, John made it his business to revitalize the economy of that province, focusing efforts on Sysco. John also moved to control energy costs and to increase coal production. He opened new mines. He developed offshore

mineral resources and, not least, successfully supported the Annapolis Basin tidal project, which was the first step in harnessing the Fundy tides.

Honourable senators, I do not think I need to elaborate further on Senator Buchanan's accomplishments. I am sure most of you know them well. He landed here, and the Senate has been a better place for it, as has the Conservative Party of Canada. In all your time here, John, we have never sat on a committee together, which is unfortunate. I have always lamented that; I am sure you did, too. I missed the opportunity for you to tell me the same old story.

Good luck, John. You will be sorely missed in this chamber. I, for one, will miss your considerable wit, your generous spirit to me, and your incomparable political antenna and acumen. I trust that you will continue to make all three available to the Conservative caucus for years to come.

Hon. Jerahmiel S. Grafstein: John Buchanan, John Buchanan, John Buchanan. As co-chair of the Canada-U.S. Interparliamentary Group, John and I, and at times Mavis, have travelled from Alaska to the far corners of North America, to the deep South, and from the East Coast to the West Coast. Wherever I go, if John is there, the first thing I hear is always, "Hello, John." It is from either a friend, a cousin, a relative, a former resident of Nova Scotia or from someone from somewhere in Canada who is directly related or connected to John Buchanan. I pride myself in knowing more senators, more governors and more state legislators than most, except John Buchanan. John Buchanan, John Buchanan. The name taunts me and the name haunts me.

I want to say this, both to you and to Mavis: The one thing I have discovered, as we have travelled to the four corners of North America together, is that when we talked about Canada to our colleagues to the south, we spoke with one voice. We never took partisan positions; we spoke with one voice. John Buchanan spoke for Canada as did I, no matter what side of this chamber we were on. I always respected him for that.

John was a pioneer in Canada-U.S. relations. He was the one who first organized and stimulated the governors and premiers of his region of the country, in the East, to get together and form a common bond and regional approach to issues that go a long way to solving the problems back and forth across the border. In that respect, he was a pioneer in this important effort that continues to this day.

John, I was down in Mobile, Alabama, and a great senator stood up and said to another senator, just a few months ago, "There is only one way to characterize this senator: Everything is made for love." John, everything you have done was made with love and with generosity.

I want to conclude with some rabbinic advice. I was in New York several years ago and a great rabbinic leader looked me in the eyes and said, "Now, senator, there is something troubling you." I said, "I am getting old and I do not think I have accomplished everything I wanted with my life." He stood up, slammed his desk — he was 88 years old — and herded everyone

else out of the room. He slammed the door and then he said, "Old age is a corruption and it is obscene, and I want to tell you why." I asked, "Rabbi, why?" He said, "Moses, our great law giver, how old was he when he started his first and greatest career?" I said, "Let's see. Moses led the people of Israel for 40 years. He did not get into the Promised Land — 40, minus 80. He died at 120. Eighty years old." The Rabi replied, "Yes, he was 80 years old when he started his first career." You have not even come close to starting your first career, John. Think new, think ahead.

Now, I want to give some advice to the government — and this will help great, glorious and patient Mavis. John has too much energy to retire. We have 22 to 28 consulships across the United States of America. Make John Buchanan a consul general in any region of the country, and he will continue to be firm and strong and powerful in the name of Canada wherever he goes.

John, do not give up. Get to work! Give him a job!

Hon. Terry M. Mercer: Honourable senators, I have known John Buchanan for a long time. Those of us in the Liberal caucus know that we just elected a new chair of our caucus, Ray Bonin, from Northern Ontario. He is famous for coming to our caucus and giving us the campaign tip of the week, where he would come up with some new idea.

I learned one of the best campaign tips of my political life from John Buchanan. My wife, Ellen, lived in John's riding for a long time. We would stop by the Dominion Store on Herring Cove Road. Any Friday night you wanted to go into the store, you would see John Buchanan in there. John would be pushing a cart and in the cart would be groceries. However, none of them would be perishable, if you took note. John would be walking around the grocery store. He said he was shopping — and Mavis can tell us later whether or not that was actually true. He would stop and he would talk to absolutely everyone in the store. This was the biggest grocery store in Halifax. Everyone was there. If you went by at six o'clock, John was there; if you went by at nine o'clock, he was still there. At the end of the night, I think John walked to the front door, dropped the cart, got in the car and drove home without anything, save for the quart of milk that Mavis had sent him to buy in the first place. It was a great lesson. He would stop and talk to me. He knew who I was. I was the organizer of the Liberal Party and at one time the youth director and executive assistant in the former government that he defeated.

I want to remind you, John, that you did not win all the elections. You did not win the election of 1974. I want everyone to understand that his record was not unblemished. I was there and I took part in that election.

I would watch John talk to people in the store. He would stop me and take time to talk to me. I asked him why he stopped to talk to me and he said, "I have time to talk to everyone else. I will be here for a while." John, I want to thank you for that lesson.

I also want to thank John for his friendship over the years. When I left the government in 1978, at John's hands — he defeated the government — I went to work for the Kidney Foundation and did some fundraising. Eventually, I went to work for Saint John Ambulance, Nova Scotia Council. I ran a capital

campaign for them in Nova Scotia. They wanted to get the provincial government to help pay for a new building they were buying in Dartmouth and refurbishing for a necessary training facility. I said we should go to see Premier Buchanan. Admiral Fulton was the chairman of our campaign. They said, "Should you go on this call? You are the former executive director of the Liberal Party." I said, "Listen, I will go on this call to see John Buchanan. I do not have any worries." We went to see the premier and sat in his office. Of course, you do not talk much business with John. You usually hear about some stories first, and then he will ask, "What are we here for?" We told him and in five seconds the answer was, "Certainly. Done. The money is yours." Admiral Fulton looked at me with a good deal of surprise and I told him, "You have to understand that John Buchanan is like that. If it is a good deal, he will take it," and he did.

I also want to relate a famous story about Mavis Buchanan. Around Spryfield and Nova Scotia, this story has been told for many years. I had not had much opportunity to meet Mavis, but on this past Labour Day weekend, a number of us who were members of the Canada-U.S. Interparliamentary Group found ourselves in St. Andrews, New Brunswick. John arrived with Mavis. My wife and I enjoyed an evening of getting to know Mavis at a reception at the hotel. John, you are one lucky guy. I now know why you are so successful. Mavis, you made him look good.

John, all the best in your retirement. Keep in touch.

• (1700)

Hon. Wilfred P. Moore: Honourable senators, I would like to say a few words in tribute to my friend, Senator John M. Buchanan, Q.C. I do not think it was mentioned earlier today that his political career began as an officer of the Liberal Club at Dalhousie University. From there, of course, his hard work led to the office of the premier of our province. While he was there, he was kind enough to give me a certificate of Queen's Counsel, which my family and I deeply appreciated.

Senator Jane Cordy mentioned the travelling back and forth to Ottawa. The seat next to the former premier was always a prime spot among fellow travellers because of the many stories he would share.

I often sat in that seat. I can tell you that upon boarding the plane, Senator Buchanan often greeted the flight crew and asked if any of them knew of his two daughters who served in the industry and of whom he is so very proud. Most of them did. From that strong connection, he would take his seat.

I tell you, everyone getting on that plane heading homeward knew him or he knew them. He had a huge recognition factor and was very kind and courteous to everybody aboard the plane. I often wonder whether or not, John, you were thinking of mounting another run for the premier's office. I think Senator Forrestall mentioned that John never stopped working the bus or the airplane.

I served with Senator Buchanan for a number of years on the Standing Senate Committee on Legal and Constitutional Affairs. It did not matter what bill we were dealing with, or the nature of

it; somewhere and somehow, John Buchanan managed to weave into his remarks a glowing diatribe — call it what you will — usually a heartfelt intervention with respect to Nova Scotia. It did not matter what the nature of the bill was that we had before us. He did so in his own irrepressible style, often trying the patience of the chairs. Nevertheless, he prevailed, we all enjoyed it and some were educated by it.

I shall miss you, John, not only your engaging verbosity, but also your many kindnesses to me and your unabashed expressions of loyalty to Nova Scotia. I wish you and Mavis and your family the very best for the years ahead.

[Translation]

Hon. Marcel Prud'homme: Honourable senators, I have known Senator Buchanan very well.

[English]

Honourable senators, I agree with everything good that has been said about Senator Buchanan as well as everything else that could be said.

I pay homage to him for three points I learned from him in giving me his friendship for many years. First, I got to know his wife, and I am very honoured to salute Mavis. I am very happy to say hello to their daughter Nickie and to see their grandson. Not to worry, I promised him yesterday that it is on its way this afternoon.

One thing one will learn from Senator Buchanan is that we all have histories and stories. I will provide an example.

The Right Honourable Prime Minister Trudeau once visited Nova Scotia. Senator Buchanan was not Liberal, but he greeted Mr. Trudeau nonetheless. Mr. Trudeau asked him where he was going. Senator Buchanan responded, "I am going to the same place you are." "How are you getting there?" "I will find a way, but it will be very difficult with security." Mr. Trudeau said, "Jump in with me." He was received by Allan MacEachen, who opened the door and asked, "How the hell did you ever get into this motorcade?" This is the type of thing you can learn from him.

As a second example, we all know that Senator Buchanan is and will stay Treasurer of the Canada-Russia Parliamentary Group created by some of us at the request of Senator Molgat following the visit of their Speaker who spoke in our chamber. That is unique in the world. This is a suggestion for you, sir. Someday I think we should change the rules and allow great leaders to speak here.

The Speaker from the main Russian chamber spoke in this chamber because our Speaker, Senator Molgat spoke in theirs. On that occasion, we created the Canada-Russia Parliamentary Group. The best way to honour Senator Buchanan would be for the honourable senator to join that parliamentary group because he will be Treasurer until April 22.

Let me explain what I learned from Senator Buchanan about being very scrupulous. The treasury is still completely intact. There has been no money from Parliament, two people have

signing authority and the money is still in the bank. Canada-Russia was very active, but all the expenses were covered by various members' budgets, such as coffee for a meeting.

One day, believe it or not, we had a guest, Mr. Putin. I tried to get my colleagues together in order to make it a great celebration. I recall when Senator Buchanan met with Mr. Putin. They looked at each other, and Senator Buchanan simply said, "Well, you are in charge now. You, young man, it is time someone put some order in Russia."

Mr. Putin looked at him, and he has eyes like Trudeau's; des yeux froids. It was the first and only time I think in all the history of Russia that I saw Mr. Putin start a big laugh. The meeting was one of the greatest successes that we organized, thanks to that kind of cooperation.

Senator, we will miss you. We know that you will give your power of signature to someone else who will be elected after April 26. As the outgoing chair and as a servant of the Senate, I wanted to have a great association, over 80 members with no financing.

The best way to honour you, as I have, is to retain you in the group. You will be one of the invitees. You have received this application. These were all made at the requests of various Speakers because of various trips taken abroad.

I am sure people will remember you every time there will be an event of the Canada-Russia Parliamentary Group. They will say, "Oh, yes, it started with Buchanan."

Thank you for your friendship. I want to repeat to Mavis, who has so many other stories to tell, I wish you the best. Since our colleague, Senator Grafstein, was kind enough to open the door for nominations in the United States, I will lay claim to you, Senator Buchanan, I believe you would grace Her Majesty Queen Elizabeth II, of whom you are so proud, if you became the next Governor General of Canada.

I hope I am not mistaken, but I believe one of the greatest moments in the life of Senator Buchanan is when he became a member of the Queen's Privy Council, appointed by Mr. Trudeau, in the presence and by the hand of Her Majesty the Queen in 1982. I know it touched him.

God be with you and your family. I am glad to have you as a friend, and I will continue to visit you in Halifax.

• (1710)

Hon. Tommy Banks: Honourable senators, I have been here for so short a time that I have not had the good fortune of the people who have paid tribute to Senator Buchanan today of knowing him as long as they have. However, I cannot let the opportunity pass without telling him what a privilege it has been, for however short a time it was, to work with him on the committee on which we sat.

I would say, John, that you have been given a little short shrift here, which I wish to make up. People have talked about how famous you are in Canada and how you are known from coast to coast to coast and in every one of our four corners. I want you

to know that I and our other colleagues know that you are known throughout the universe. When we go to Paris or Vienna, into an obscure little hotel that people like us do not usually go to, before we have checked in, four people have run up to say hello to you. The same thing occurred when we went to visit OPEC in Vienna. You were greeted at the door like a long-lost brother, while the rest of us were waiting to be introduced to the doorman.

It has been a great privilege, John. God bless you.

Hon. Norman K. Atkins: Honourable senators, I always thought that Mavis was a phantom figure, but I realize now that she is a real person. Over the years, every time I ran into John Buchanan, he always used Mavis as an excuse when he wanted to get out of anything.

I do not know that John appreciates the fact that I was one of the people in the Lord Nelson hotel in 1967 when he was first elected.

Senator Buchanan: I remember it very well.

Senator Atkins: In 1967, at the leadership convention, I was chair of the convention for Robert L. Stanfield, and you were a major player from Nova Scotia during the period of that convention.

After 1971, when Ike Smith was defeated, I do not think I ran into you very often, except you had, as one of your support staff, a classmate of mine, one of your closest friends, Freddy Dixon.

I have travelled with John on many of the Canada-U.S. Interparliamentary Group annual meetings, and I know that the Americans just loved to make contact with him because they loved his stories. He will be missed there, as I know he will be missed here. God bless.

The Hon. the Speaker: Honourable senators, procedurally, I rise to point out that if there are no further senators who wish to participate in this inquiry, the inquiry will be considered debated, although tributes to John Buchanan will continue well beyond the doors of this honourable chamber.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO STUDY STATE OF HEALTH CARE SYSTEM—DEBATE ADJOURNED

Hon. Wilbert J. Keon, pursuant to notice of April 5, 2006, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on issues arising from, and developments since, the tabling of its final report on the state of the health care system in Canada in October 2002. In particular, the Committee shall be authorized to examine issues concerning mental health and mental illness;

That the papers and evidence received and taken by the Committee on the study of mental health and mental illness in Canada in the Thirty-seventh and Thirty-eighth Parliaments be referred to the Committee, and

That the Committee submit its final report no later than June 30, 2006 and that the Committee retain all powers necessary to publicize the findings of the Committee until September 30, 2006.

That the Committee be permitted, notwithstanding usual practices, to deposit any report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.

The Hon. the Speaker: Are senators ready for the question?

Hon. Joan Fraser (Deputy Leader of the Opposition): Pursuant to the point I was raising yesterday, let me say that I am not trying to block the Standing Senate Committee on Social Affairs, Science and Technology, but I think it is important that we observe the principles that guide us. I would like to have some clarification here. The members of the Social Affairs Committee have been named, but the committee has not yet had its organizational meeting. Therefore, is it appropriate at this time to send a reference to a committee that does not have a chair, does not have a deputy chair and has not had an organizational meeting?

The Hon. the Speaker: I do not know the immediate answer, honourable senators, so I will have to take that question under advisement. Under that circumstance, if honourable senators want to provide advice on the appropriateness of the motion, I will hear the advice.

Senator Keon: I am afraid that, technically, Senator Fraser is correct. The Senate is about to take a two-week hiatus and we had hoped to issue our report on mental health during Mental Health Week. I had hoped to chair a meeting of the committee this evening where enough senators would be present to have quorum, appoint the officers and approve the report. I am quite aware of the fact that, technically, our committee is not constituted and we will have to have the meeting at a later date. I guess there will be a delay in our report.

The Hon. the Speaker: Honourable senators, I have received some technical advice to the effect that there are precedents. Indeed, the Standing Senate Committee on Social Affairs, Science and Technology has done this in the past. Whether it is appropriate for us to continue that practice I will leave to honourable senators.

Hon. Anne C. Cools: Honourable senators, the fact that something has happened before does not necessarily make it a precedent that should be followed. Sometimes it may have been just bad practice. Then it becomes important not to repeat the bad practice.

It seems to me that this situation can be easily remedied. All Senator Keon would have to do is to move an amendment to his motion to include the words "when it is constituted" before the words "be authorized to examine." It is constituted? Then there is nothing wrong with that request.

The Hon. the Speaker: Having earlier this afternoon passed the motion and adopted the second report of the Selection Committee, the Standing Senate Committee on Social Affairs, Science and Technology is established.

Senator Fraser: I am a little confused, Your Honour. While I found Senator Keon's remarks most gracious in their tone, I found their substance a little muddling. The committee has not had an organizational meeting yet. He said he wanted to call a meeting of the committee and pass a report. He is not in a position to call a meeting of the committee. The clerk calls an organizational committee meeting and sends notice so that all members of the committee are aware. I do not know whether all the committee members are aware that this meeting was being planned. Certainly I was not. I believe that at least one of my colleagues who is a member of that committee was not aware of the fact that a formal committee meeting was in the works for this evening, which is a most unusual time for a committee to hold a formal meeting, let alone an organizational meeting. I am truly concerned by this process.

I find myself now not just looking for clarification from the Speaker on the appropriate nature of the technical proceeding but deeply concerned by the substance of what appears to be the intention here.

Hon. Terry Stratton: I normally would be fully on the side of Senator Fraser. Once we establish a precedent, we have to worry, because it is there and you live with it for quite a while and fight battles with respect to it in the future. For that reason, I am against setting any kind of precedent, even though you say it has happened before.

• (1720)

We should consider the importance and timing of this study with respect to Mental Health Week. That is what we want to accomplish on behalf of the Senate. Our goal is to get the biggest bang for our buck with regard to publicity for the chamber. From what I hear, it will be a good report, so we need to find a creative way to get this report out for Mental Health Week. We can get hung up on the semantics of whether or not it abides by the rule, contravenes the rule or sets a precedent, but the magic is to have this report out for Mental Health Week.

Senator Fraser: We all know of the excellent work that has been done by the Standing Senate Committee on Social Affairs, Science and Technology in the field of health, most recently in the field of mental health. We have all heard our colleagues talking about how inspiring the work on that study has been, to them personally and as senators representing the people of Canada.

I do not think, however, that attracting publicity for the work of that committee is a problem. If there is a Senate committee that gets careful and much publicized attention for its work in this land, it is the Social Affairs Committee. I am sure that Mental Health Week is a very important event for professionals in the field of mental health. I do not know what this study will say, but I am sure that it will be aimed not only at professionals in the field of mental health, but also at public policy makers and the public, because that would fit the pattern of past studies.

Therefore, I maintain my deep concern about the proceeding. Perhaps someone has a creative idea, and it would be good to hear about it if someone has, but I do not know how we can report on a committee study without having had the committee duly constituted with proper notice to all members, a proper election being held for the chair and deputy chair of that committee and for the members of the steering committee, and a reference passed in due order.

I agree that hard cases make bad law. Someone said this is a hard case. We all want to be nice to the Social Affairs Committee, but I think it is bad law and bad precedent.

Hon. Tommy Banks: I have a great deal of sympathy for the idea of getting the biggest bang for the buck that Senator Stratton talked about and for the importance of the work of Senate committees, not only in and of itself but in the value that it brings to this institution.

As senators may know, I have a similar motion in place. I do not have quite the same urgency in mine and I do not have the same case to make. However, I have a question to ask about a matter that does bother me.

I am looking at the report of the Selection Committee and I see that the people who have been appointed to the committee of which I was previously a member are quite different from the members who would have drafted a report of the committee when I was a member. I would feel uncomfortable asking a new committee, with quite a number of new people on it, to, in absentia, or with anything less than a suitable degree of study, approve a report, in effect on their behalf, to the Senate.

Are the current members of the Standing Senate Committee on Social Affairs, Science and Technology entirely or for the most part the same members who drafted the report in question?

Hon. Marilyn Trenholme Counsell: Honourable senators, I am worried about whether everyone knew about this meeting. I was told a very short time ago that it would take place. I have two engagements of considerable importance. While I agreed to attend the meeting, I would not want to attend if all the other members of the committee were not properly notified.

Senator Fraser: Was notice sent out properly by the clerk? If so, when?

Senator Keon: My discomfort level is rapidly rising and I do not think we should proceed with this. Due to a medical emergency, Senator Kirby will not be here tonight. He had arranged with the clerk for a meeting of the committee. He asked me to chair the meeting and to do what I have just done because he has done it successfully in the past.

From a technical point of view, I have to agree with Senator Fraser. Consequently, I think we can find another way of doing this. We may have a slight delay in the presentation of the report, but I also am not worried about the legs on the report. It is a superb report and it will get done anyway.

[Translation]

Hon. Pierre Claude Nolin: Honourable senators, in an effort to find a creative solution, I propose to add "once the said committee has been duly constituted" in the first paragraph of the motion, after the words "and Technology".

[English]

Senator Cools: I was just told that the committee was constituted. However, from what I am hearing now, the committee has not been constituted.

Senator Austin: It is constituted but not organized.

Senator Cools: We could have an entire discussion on at what point constituting a committee is complete. I do not know much about the committee and I am not informed of the report, but there is something unusual here and Senator Fraser has an important point. If the situation was so unusual, that fact could have been put in the motion and the unusualness of the situation could have been addressed so that senators would have known that they were dealing with a unique situation.

We do not know whether the former chairman of the committee will be the chairman again, and further, the senator acting on behalf of Senator Kirby is now saying that he is dubious about this whole process. This puts us in a very strange position.

However, it seems to me that the amendment that Senator Nolin has suggested, which is the same amendment that I suggested, would at least allow the committee to get organized in the next few days. Perhaps that would be agreeable to senators.

The Hon. the Speaker: Honourable senators, the chair will make a suggestion based on what the chair has heard. I understand that Senator Keon, whose original motion it is, may be on the verge of moving the adjournment of the debate on this motion.

Am I correct that Senator Keon wishes to move the adjournment of the debate?

Senator Keon: I so move.

On motion of Senator Keon, debate adjourned.

• (1730)

[Translation]

THE SENATE

COMMITTEES AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government) moved:

That committees of the Senate normally scheduled to meet on Mondays be empowered, in accordance with rule 95(3), to sit on Monday, April 24, 2006, even though the Senate may then be adjourned for a period exceeding a week.

Motion agreed to.

ADJOURNMENT

Leave having been given to revert to government Notices of Motions:

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That, when the Senate adjourns today, it do stand adjourned until Tuesday, April 25, 2006, at 2 p.m.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, April 25, 2006, at 2 p.m.

THE SENATE OF CANADA

PROGRESS OF LEGISLATION

(indicates the status of a bill by showing the date on which each stage has been completed)

(1st Session, 39th Parliament)

Thursday, April 6, 2006

(*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05							
S-202	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	06/04/05							
S-203	An Act to amend the Public Service Employment Act (priority for appointment for veterans) (Sen. Downe)	06/04/05							
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	06/04/05							
S-205	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	06/04/05							
S-206	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	06/04/05							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-207	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	06/04/05							
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	06/04/06							

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[illegible]

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CANADA

Debates of the Senate

1st SESSION

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39th PARLIAMENT

•

VOLUME 143

•

NUMBER 5

OFFICIAL REPORT
(HANSARD)

Tuesday, April 25, 2006

—
**THE HONOURABLE NOËL A. KINSELLA
SPEAKER**



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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
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THE SENATE

Tuesday, April 25, 2006

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

VICTIMS OF HOLOCAUST

SILENT TRIBUTE

The Hon. the Speaker: I would ask honourable senators to rise and observe one minute of silence in memory of the victims of the Holocaust.

Honourable senators then stood in silent tribute.

[Translation]

TRIBUTES

THE LATE HONOURABLE IAN SINCLAIR, O.C., Q.C.

The Hon. the Speaker: Honourable senators, pursuant to rule 22(10) of the *Rules of the Senate*, the Leader of the Opposition has asked that the time provided for consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Ian Sinclair, who passed away on April 7, 2006.

I remind senators that, pursuant to the Rules, the time provided for Senators' Statements can be extended by up to 15 minutes and that each senator will be allowed only three minutes and may speak only once.

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, it is with sadness and fond remembrance that I pay tribute today to one of our illustrious colleagues, former Senator Ian Sinclair.

[English]

Although Senator Sinclair's term in the Senate spanned only five years, from 1983-88, he served this institution with unfailing skill and dedication throughout that time. Appointed by former Prime Minister Trudeau, Senator Sinclair brought to our chamber a wealth of experience as a lawyer, businessman and, most notably, as the former Chairman and Chief Executive Officer of Canadian Pacific Limited.

[Translation]

Born in Winnipeg and a lawyer by trade, Senator Sinclair joined the Canadian Pacific Railway in 1942. Swiftly climbing the corporate ladder thanks to his talent and energy, he advanced to Vice-president and General Counsel in 1960 and became President and Chief Executive Officer in 1969.

[English]

In the 12 years he spent at the company's helm, he used his great vision, determination and leadership to transform it from the railway it had always been into one of Canada's largest and most diversified corporations. As Chief Executive Officer, he was determined that the CPR's image, performance and size would take a back seat to no one; to that end, during his tenure, the company's assets increased from \$2 billion to over \$16 billion. Often referred to as the last of the railway titans, he was always placed on an equal footing with the giants among his predecessors, men like George Stephen, William Van Horne and Buck Crump.

• (1410)

In the Senate, he served with enthusiasm, skill and elegance, earning a reputation as a spirited debater and as an outstanding chairman of the Standing Senate Committee on Banking, Trade and Commerce.

Honourable senators, Ian Sinclair was a good friend of mine and of my family, and so it is a great honour to have this opportunity to pay my respects to him today. I can say that it was a privilege to know him and to serve with him in this institution. His departure closes a very important chapter in the history of our country. On behalf of all colleagues on this side of the chamber, and all of us, I extend our most sincere condolences to his family.

[Translation]

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, unfortunately Senator Cools, who intended to offer her condolences on behalf of the honourable senators on this side of the House, is not here today. However, we will ask her to be here tomorrow or the day after so that she can convey our most sincere condolences.

[English]

CANADIAN CANCER SOCIETY

DAFFODIL MONTH

Hon. Michael A. Meighen: Honourable senators, as we are all aware, April is the Canadian Cancer Society's Daffodil Month. Thousands of volunteers from coast to coast to coast have been busy selling daffodils, collecting donations and organizing events to help raise money for cancer research.

The reason behind Daffodil Month is to bring attention to a disease that has touched the lives of many Canadians. Cancer is the leading cause of premature death and will soon be the number one cause of all deaths in this country. While much has been done to fight and control the disease, cancer still affects the lives of 38 per cent of women and 44 per cent of men in Canada.

[Translation]

According to the Canadian Cancer Society, considerable progress has been made in the fight against this stubborn disease. Lower mortality rates have been noted in men who have lung cancer, colorectal cancer and prostate cancer. Overall cancer incidence in women, including breast cancer, has stabilized and the resulting mortality rate is falling.

The Canadian Cancer Society recognizes, however, that scientists still face many challenges. For example, lung cancer continues to be the most deadly cancer in Canada, followed by colorectal cancer. Other types of cancer affecting men are on the rise, particularly melanoma, non-Hodgkin's lymphoma, and testicular cancer. In women, we are seeing an increase in the number of cases of lung cancer and melanoma.

[English]

As another Daffodil Month passes, let us recognize the important work done by volunteers and cancer researchers across this country. Progress has been made. Advances in cancer treatment and research are a direct result of the dedication of these volunteers and researchers. Although we have much to celebrate in the battle against this dreadful disease, as you can see, much more needs to be done.

The other place, on June 7, 2005, passed a motion moved by Mr. Steven Fletcher to the effect that a national strategy is needed to reduce the growing human and economic costs of cancer. The Prime Minister himself has committed this government to work with the provinces to develop a comprehensive plan for the prevention and treatment of cancer.

Honourable senators. I am pleased that this issue is receiving the attention it deserves. A national cancer strategy is necessary if we are to continue the battle against this disease that has affected and will continue to affect the lives of so many Canadians.

ARMENIAN GENOCIDE

NINETY-FIRST ANNIVERSARY

Hon. A. Raynell Andreychuk: Honourable senators, I want to stand today and acknowledge that 91 years ago the Armenian people experienced terrible suffering and loss of life. While those on the other side of the conflict also suffered, the magnitude of the tragedy for the Armenian people can be truly noted as a genocide. As Prime Minister Stephen Harper has noted, the Armenian people experienced the first genocide of the 20th century, and this fact was noted by the Senate of Canada and the House of Commons.

While we should learn from the lessons of history, we in fact have not. Genocides have continued to happen and are occurring in present-day environments. It is only by remembering the past and adhering to the new International Criminal Court that we can hope to have a more peaceful and secure world. We must remember that the new International Criminal Court seeks to ensure that no one, at any level, should look the other way or commit acts that could lead to genocide or crimes against humanity.

As we remember the Armenian genocide of 1915, we must renew our efforts for peace, democracy and the adherence of human rights to be enjoyed by all Canadians and all peoples, wherever they reside in this world.

THE LATE LIEUTENANT BILL TURNER

Hon. Grant Mitchell: Honourable senators, on Saturday four Canadian soldiers were killed in a tragic roadside bomb attack in Afghanistan. They were Corporals Randy Payne, Matthew Dinning, Bombardier Myles Mansell and Lieutenant Bill Turner. I knew Lieutenant Turner. We were triathlon training partners and friends. For me, his death puts a very personal face on this war.

Bill Turner and I met in an Edmonton triathlon training club, and over the year and a half leading up to his deployment to Afghanistan, we swam, ran and rode our bicycles together many times. He was an intense, dedicated and very fit athlete. He was an eminently likeable person, enthusiastic about his life and, in particular, about the military, always supportive of his teammates, always talkative and fun to be with. If you were ever tired on a long ride, you could count on Bill to stay with you until you got back. We rode Sunday for the first time with the knowledge that he will never join our pace line again.

I have known many soldiers in my life, and I believe that Lieutenant Turner would qualify as the quintessential Canadian soldier. He was a reservist who had the courage to leave the safety of his life here and to volunteer to serve in Afghanistan. He did so without fanfare and without drawing attention to himself. He was very proud to be a Canadian, very proud to be a Canadian soldier and very proud of what he was doing in Afghanistan.

Lieutenant Turner had that unique blend of characteristics that I believe is common to the Canadian soldier. On the one hand, one had the sense that he could be a warrior if called upon to fight, and that he would do so with great courage and with little reward for himself. On the other hand, one also knew that he was a decent man with a deep kindness at his core that motivated him to face the dangers of Afghanistan expressly so that he could help make the lives of people there better.

He volunteered to be a civilian-military cooperation officer and was known to introduce himself to the many Afghans he met by saying, "Hi, my name is Bill and I am here to help." His job was to talk with villagers to find out what it was that they needed that Canada, Canadians and the Canadian military might be able to provide. He had recently ordered kites and soccer balls for the children that he encountered.

I am proud to have known Bill Turner, and I am proud that he and so many other women and men of great character have represented and continue to represent Canada in our Armed Forces in many dangerous and important places to make the world better and safer. He will be sorely missed for many Sunday rides to come.

• (1420)

FAMILY VIOLENCE

Hon. Sharon Carstairs: Honourable senators, on Sunday, April 2, Francine Mailly dropped her three children off for a visit with their father, from whom she was estranged, around 1 p.m. When she returned to pick up her children later that evening, Francois Mailly shot and killed her and their three children — Jessica, age 12, Brandon, age 9, and Kevin, age 6. Mr. Mailly then set fire to their farmhouse, shed and garage, and killed himself in the ensuing flames.

In the past 15 years, we have made substantial headway in our criminal courts. In four jurisdictions in Canada, we now have courts specializing in family violence: Manitoba, Alberta, Ontario and the Yukon. We have also made substantial progress in the growth and development of services to victims and their children. Shelters, counselling programs, victims services, civil legislation, specialized courts, better child protection and better research and education have expanded across the country; yet, tragedies such as the one which befell Francine Mailly and her three children serve as stark reminders that, despite all our accomplishments, we have many challenges to face as we work to eradicate family violence.

One of these challenges is trying to increase our understanding of the dynamics of family and spousal abuse through additional research. We do not have enough recent research, but in 1999, a study indicated that one third of children who were killed were killed following parental separation. In three quarters of the post-separation homicides involving children, the only victims were the children. The perpetrators had not necessarily abused their children previously, but we still have more questions than answers.

Last Tuesday, Francine Mailly was laid to rest. It is with sadness that I rise today to pay tribute to Francine, her children Jessica, Brandon and Kevin, and all other unnamed victims of violence and abuse. On April 2, four lives were cut short well before their time. Their deaths are a tragedy and serve to remind us that there is still much about family violence that we do not understand. For the sake of these four lives, we must continue this work.

THE RIGHT HONOURABLE BRIAN MULRONEY

CORPORATE KNIGHTS DINNER HONOURING GREENEST PRIME MINISTER

Hon. Mira Spivak: Honourable senators, those of us who had the privilege of attending Wednesday morning caucus meetings during the halcyon days of the Mulroney administration knew how smart and funny the gentleman was.

Those talents were on full display last Thursday at the Corporate Knights dinner honouring Brian Mulroney as the greenest Prime Minister. It was vintage Mulroney — the hilarious asides, the witty quips, and the very astute analysis of the environmental challenges facing Canada and the world.

It is surprising for those of us who were supporters of his government during those years to view the record of that

government some years later: the acid rain treaty; the ozone layer accord; the Montreal protocol; the establishment of all of those parks, especially including South Moresby; the beginning of a cleanup on the Great Lakes; the signing of the biodiversity treaty at the Rio conference, which the Americans supported then. All of these measures had real teeth and practical implications. As well — and I do not want to use an unparliamentary word — Brian Mulroney had the guts to force the pulp mills to regulate their emissions so as to save the fish. It cost them billions of dollars, but the fish were saved and the pulp mills are still profitable.

The convening of the first international scientific conference on climate change in 1988, which I attended as a junior senator along with Senator Joyce Fairbairn, changed my view of the world forever. I also — because Finlay MacDonald did not want to go — attended Al Gore's global conference on the environment, and, without any authority, signed everything in sight.

The speech given by the former Prime Minister last Thursday was important for many reasons, but two stand out. First, he stated clearly that the “most compelling environmental challenge facing the world today is global warming.” Second, he acknowledged the urgency of addressing solutions to the problem, citing strong political leadership and political will as key ingredients. He recognized the monumental impact on the world climate of the melting of the Arctic and Antarctic ice caps and the need for development to proceed with caution in that fragile environment.

Honourable senators, the Mulroney record is truly astonishing. Hopefully, it will inspire this administration. How wise Brian Mulroney was and is, and how fitting it is that, among the many honours he has received, he should be recognized for this particular achievement. He always said that history would judge him more kindly once there was a perspective on his time in power, and, as usual, he was absolutely right.

FARMING FINANCIAL CRISIS

Hon. Catherine S. Callbeck: Honourable senators, this month, thousands of farmers from across Canada came to Parliament Hill to demonstrate their concern for the crisis facing the agricultural industry in this country. They are justifiably concerned, not just about their future, but about the future of an industry and a way of life that makes a vital contribution to the health and well-being of all Canadians. Because of them, we all enjoy a safe, high quality and affordable supply of food.

The protests have continued in and around Ottawa this week, as Canadian farmers make every effort to show parliamentarians that action is needed now.

Farmers across this country have experienced major financial problems in recent years. This coming year, farm cash receipts are forecast to decline by another 16 per cent. Many in the industry have said that farm finances are in the worst shape they have been in since the days of the Great Depression, and many are wondering how, or if, they will be able to plant a crop this spring.

Farmers have pointed to a number of reasons for the current crisis in the industry. There is increased consolidation in the processing and retail sectors. Costs for inputs such as fuel and

fertilizer are rising. The value of the Canadian dollar is reducing the competitiveness of our exports. One of the major challenges facing all farmers is the high level of support provided farmers in the United States and the European Union, which does not provide our farmers with a level playing field in domestic and international markets.

Canadian farmers are among the most productive and efficient in the world, but they are facing financial difficulties beyond their control. Under the previous government, record-high support payments were provided to offset the serious declines in their incomes.

Honourable senators, the farm income crisis is not new and will not be solved quickly, but the most pressing issue right now for our Canadian producers is a shortage of cash for spring planting. They need to know now what the federal government will do. Our agriculture industry is facing desperate times, and I call on the Government of Canada to quickly make agriculture one of its priorities and indicate to Canadian producers its plan for the industry in this country.

AGA KHAN BUILDING AND PLANNING SERVICES, PAKISTAN

Hon. Mobina S. B. Jaffer: Honourable senators, it is my pleasure to announce that on March 2, 2006, an agency of the Aga Khan Development Network, the Aga Khan Planning and Building Services, Pakistan, or AKBPS, received the U.S. \$1-million Alcan Prize for Sustainability for its efforts to improve housing conditions, as well as water and sanitation facilities in Pakistan. A gala ceremony to honour the recipients was held March 2 in Vancouver.

Established in 1980, the Aga Khan Planning and Building Services, Pakistan, plans and implements infrastructure and technology-related development initiatives to improve the built environment and enhance living conditions for the most vulnerable and disadvantaged populations. The importance of its work was underscored by the devastating earthquake that hit northern Pakistan in October 2005.

Strong Canadian support has been integral to the success of this agency's work. Since 1995, CIDA and the Aga Khan Foundation Canada have assisted core programs through direct support and capacity-building assistance.

In her acceptance of the Alcan prize on behalf of AKBPS, Pakistan, Princess Zahra Aga Khan, head of the social welfare department at the secretariat of His Highness the Aga Khan, further announced that the Alcan prize will be matched by a U.S. \$1-million contribution from the Aga Khan Foundation in recognition of Canada's longstanding support for the work of AKBPS, Pakistan, and of Alcan's Canadian roots.

Princess Zahra noted the unique nature of the Alcan prize, saying that:

In contrast to many high profile awards, the Alcan Prize is explicitly not for the "Best Project of the Year" or even for "Lifetime Achievement." It is about clarity of conception,

effectiveness of implementation, and the quality of results in the present, over a period of time, and — with its focus on sustainability — into the future. It is about developing and using world class knowledge and working with local communities to choose and implement what reflects their needs and ability to sustain. The key dimensions are that interventions must be grounded in communities, must integrate social, economic and environmental elements and be undertaken with a long term perspective. All of them are explicitly part of this prize.

• (1430)

In addition, His Highness the Aga Khan will make available a further US \$1 million to match additional contributions to the fund.

In closing, I would like to particularly acknowledge Alcan. By establishing a prize of this nature, Alcan demonstrates the integral, innovative contributions that the private sector can make to equitable social and economic development and poverty reduction across the globe.

[Translation]

ROUTINE PROCEEDINGS

THE ESTIMATES, 2006-07

DOCUMENTS TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 28(3), I have the honour to table two copies, in both official languages, of the 2006-2007 Estimates, Parts 1 and 2, the Government Expenditure Plan and the Main Estimates.

[English]

Hon. Anne C. Cools: Honourable senators, I was under the impression that I would be called to pay tribute to Senator Sinclair.

[Translation]

GOVERNOR GENERAL WARRANTS, 2006-07

TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 28(3), I have the honour to table two copies, in both official languages, of the report on the use of Governor General special warrants for the fiscal years ending March 31, 2006 and March 31, 2007.

[English]

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I would like to draw your attention to the presence in the gallery of Dr. Hanan Ashrawi, member of the Palestine Legislative Council (Third Way Party).

Hon. Senators: Hear, hear!

The Hon. the Speaker: On behalf of all honourable senators, I welcome you to the Senate of Canada.

ABORIGINAL PEOPLES

REPORT PURSUANT TO RULE 104 TABLED

Hon. Gerry St. Germain: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Aboriginal Peoples. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 39.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

REPORT PURSUANT TO RULE 104 TABLED

Hon. Michael Kirby: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Social Affairs, Science and Technology. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 40.)

[Translation]

NATIONAL FINANCE

REPORT PURSUANT TO RULE 104 TABLED

Hon. Joseph A. Day: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on National Finance, which outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 41.)

[English]

RULES, PROCEDURES AND
THE RIGHTS OF PARLIAMENT

REPORT PURSUANT TO RULE 104 TABLED

Hon. Consiglio Di Nino: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Committee on Rules, Procedures and the Rights of Parliament. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 41.)

HUMAN RIGHTS

REPORT PURSUANT TO RULE 104 TABLED

Hon. A. Raynell Andreychuk: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Human Rights. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 42.)

[Translation]

OFFICIAL LANGUAGES

REPORT PURSUANT TO RULE 104 TABLED

Hon. Maria Chaput: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Official Languages, which outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 43.)

THE SENATE

NOTICE OF MOTION TO STRIKE SPECIAL
COMMITTEE ON ANTI-TERRORISM ACT

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That a Special Committee of the Senate be appointed to undertake a comprehensive review of the provisions and operation of the *Anti-terrorism Act*, (S.C. 2001, c.41) pursuant to Section 145 of the said Act;

That, notwithstanding rule 85(1)(b), the special committee comprise nine members namely the Honourable Senators Kinsella, Andreychuk, Nolin, Day, Fairbairn, Fraser, Jaffer, Smith and Joyal and that four members constitute a quorum;

That the committee have power to send for persons, papers and records, to examine witnesses, to report from time to time and to print such papers and evidence from day to day as may be ordered by the committee;

That, notwithstanding rule 92(1), the committee be empowered to hold occasional meetings in camera for the purpose of hearing witnesses and gathering specialized or sensitive information;

That the committee be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings;

That the committee submit its final report no later than June 23, 2006, and that the committee retain all powers necessary to publicize its findings until September 29, 2006; and

That the committee be permitted, notwithstanding usual practices, to deposit its report with the Clerk of the Senate, if the Senate is not then sitting, and that any report so deposited be deemed to have been tabled in the Chamber.

SPEECH FROM THE THRONE

ADDRESS IN REPLY—TERMINATION OF DEBATE ON EIGHTH SITTING DAY—NOTICE OF MOTION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that at the next sitting of the Senate, I will move the following:

That the proceedings on the Order of the Day for resuming the debate on the motion for the Address in reply to Her Excellency the Governor General's Speech from the Throne addressed to both Houses of Parliament be concluded on the eighth sitting day on which the order is debated.

[English]

NATIONAL SECURITY AND DEFENCE

REPORT PURSUANT TO RULE 104 TABLED

Leave having been given to revert to Reports from Standing or Special Committees:

Hon. Colin Kenny: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on National Security and Defence. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 44.)

[Translation]

HAZARDOUS MATERIALS INFORMATION REVIEW ACT

BILL TO AMEND—FIRST READING

Hon. Gerald J. Comeau (Deputy Leader of the Government) presented Bill S-2, to amend the Hazardous Materials Information Review Act.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.

NATIONAL DEFENCE ACT THE CRIMINAL CODE SEX OFFENDER INFORMATION REGISTRATION ACT CRIMINAL RECORDS ACT

BILL TO AMEND—FIRST READING

Hon. Gerald J. Comeau (Deputy Leader of the Government) presented Bill S-3, to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.

• (1440)

[English]

PERSONAL WATERCRAFT BILL

FIRST READING

Hon. Mira Spivak presented Bill S-209, concerning personal watercraft in navigable waters.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read a second time?

On motion of Senator Spivak, bill placed on the Orders of the Day for second reading two days hence.

NATIONAL CAPITAL ACT

BILL TO AMEND—FIRST READING

Hon. Mira Spivak presented Bill S-210, to amend the National Capital Act (establishment and protection of Gatineau Park).

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read a second time?

On motion of Senator Spivak, bill placed on the Orders of the Day for second reading two days hence.

[Translation]

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Jean Lapointe presented Bill S-211, to amend the Criminal Code (lottery schemes).

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Lapointe, bill placed on the Orders of the Day for second reading two days hence.

[English]

CANADA-AFRICA PARLIAMENTARY ASSOCIATION

SEMINAR ON AFRICA—OCTOBER 12-22, 2005—
REPORT TABLED

Hon. A. Raynell Andreychuk: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian delegation to the parliamentary seminar on Africa entitled “Partnership Beyond 2005: The Role of Parliamentarians in Implementing the New Partnership for Africa’s Development (NEPAD) Commitments”, held in London, United Kingdom, from October 12 to 22, 2005.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. Michael Kirby: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Michael Kirby: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. Colin Kenny: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Security and Defence have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Colin Kenny: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Security and Defence be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
CONTINUE STUDY ON NATIONAL SECURITY POLICY

Hon. Colin Kenny: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the national security policy of Canada. In particular, the Committee shall be authorized to examine:

- (a) the capability of the Department of National Defence to defend and protect the interests, people and territory of Canada and its ability to respond to and prevent a national emergency or attack, and the capability of the Department of Public Safety and Emergency Preparedness to carry out its mandate;
- (b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyze and disseminate information and how these functions might be enhanced;

(c) the mechanisms to review the performance and activities of the various agencies involved in intelligence gathering; and

(d) the security of our borders and critical infrastructure.

That the papers and evidence received and taken during the Thirty-seventh and Thirty-eighth Parliaments be referred to the Committee; and

That the Committee report to the Senate no later than March 31, 2007 and that the Committee retain all powers necessary to publicize the findings of the Committee until May 31, 2007.

HUMAN RIGHTS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON ISSUES RELATED TO NATIONAL AND INTERNATIONAL OBLIGATIONS

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to examine and monitor issues relating to human rights and, *inter alia*, to review the machinery of government dealing with Canada's international and national human rights obligations; and

That the papers and evidence received and taken on the subject during the First, Second and Third Sessions of the Thirty-seventh Parliament and the First Session of the Thirty-eighth Parliament be referred to the Committee; and

That the Committee submit its final report to the Senate no later than March 31, 2007, and that the Committee retain until May 31, 2007 all powers necessary to publicize its findings.

• (1450)

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY OF LEGAL ISSUES AFFECTING ON-RESERVE MATRIMONIAL REAL PROPERTY ON BREAKDOWN OF MARRIAGE OR COMMON LAW RELATIONSHIP

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to invite the Minister of Indian Affairs and Northern Development to appear with his officials before the Committee for the purpose of updating the members of the Committee on actions taken concerning the recommendations contained in the Committee's report entitled *A Hard Bed to lie in: Matrimonial Real Property on Reserve*, tabled in the Senate November 4, 2003; and

That the papers and evidence received and taken on the subject during the First, Second and Third Sessions of the Thirty-seventh Parliament and the First session of the Thirty-eighth Parliament be referred to the Committee; and

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than March 31, 2007.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON CASES OF ALLEGED DISCRIMINATION IN HIRING AND PROMOTION PRACTICES AND EMPLOYMENT EQUITY FOR MINORITY GROUPS IN FEDERAL PUBLIC SERVICE

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to invite from time to time the President of the Treasury Board, the President of the Public Service Commission, their officials, as well as other witnesses to appear before the Committee for the purpose of examining cases of alleged discrimination in the hiring and promotion practices of the Federal Public Service and to study the extent to which targets to achieve employment equity for minority groups are being met; and

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament be referred to the Committee; and

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than March 31, 2007.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO STUDY INTERNATIONAL OBLIGATIONS
REGARDING CHILDREN'S RIGHTS AND FREEDOMS

Hon. A. Raynell Andreychuk: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to examine and report upon Canada's international obligations in regards to the rights and freedoms of children.

In particular, the Committee shall be authorized to examine:

- Our obligations under the United Nations Convention on the Rights of the Child; and
- Whether Canada's legislation as it applies to children meets our obligations under this Convention.

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament be referred to the Committee; and

That the Committee present its final report to the Senate no later than December 31, 2006 and that the Committee retain until March 31, 2007 all powers necessary to publicize its findings.

[Translation]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO CONTINUE STUDY ON OPERATION OF OFFICIAL
LANGUAGES ACT AND RELEVANT REGULATIONS,
DIRECTIVES AND REPORTS

Hon. Maria Chaput: Honourable senators, I give notice that at the next sitting of the Senate I shall move:

That the Standing Senate Committee on Official Languages be authorized to study and to report from time to time on the application of the *Official Languages Act* and of the regulations and directives made under it, within those institutions subject to the Act;

That the Committee be authorized to study the reports and papers produced by the Minister of Official Languages, the President of the Treasury Board, the Minister of Canadian Heritage and the Commissioner of Official Languages as well as any other material concerning official languages generally;

That papers and evidence received and taken during the Thirty-eighth Parliament be referred to the Committee;

That the Committee report from time to time to the Senate but no later than June 30, 2007.

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. Maria Chaput: Honourable senators, I give notice that at the next sitting of the Senate I shall move:

That the Standing Senate Committee on Official Languages have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Maria Chaput: Honourable senators, I give notice that at the next sitting of the Senate I shall move:

That the Standing Senate Committee on Official Languages be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

[English]

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. Gerry St. Germain: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Aboriginal Peoples have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
PERMIT ELECTRONIC COVERAGE

Hon. Gerry St. Germain: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Aboriginal Peoples be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. Consiglio Di Nino: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament have power to engage the services of such counsel and technical, clerical, and other personnel

as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Consiglio Di Nino: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

[Translation]

NATIONAL FINANCE

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. Joseph A. Day: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Finance have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO
PERMIT ELECTRONIC COVERAGE

Hon. Joseph A. Day: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Finance be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

[English]

QUESTION PERIOD

PARLIAMENT

FLYING OF PEACE TOWER FLAG AT HALF MAST
IN HONOUR OF SOLDIERS WHO DIE IN WAR

Hon. Joseph A. Day: Honourable senators, my question is for the Leader of the Government in the Senate.

As I arrived on Parliament Hill this morning, passing the Eternal Flame, my heart was still heavy with the news of the death of the four Canadian soldiers in Kandahar. In looking up at the Peace Tower, I saw that the Canadian flag was not flying at half mast.

Can the Leader of the Government in the Senate tell us why this Parliament and the Government of Canada is not showing respect for the families of those fallen soldiers by flying the flag on the Peace Tower at half mast?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for his question.

I do not think there is a person in this place, in the other place or, indeed, in the country that was not horrifically shocked at the terrible news of the death of four young Canadian soldiers in Afghanistan last week.

As a matter of fact, I personally know the mother of one of the soldiers who was killed, Matthew Dinning. His mother is the chair of the Mothers Against Drunk Driving Huron/Bruce Chapter. I saw her a couple of weeks ago at a MADD meeting, and she very proudly told me about her son serving in Afghanistan.

The Canadian flag is held high in the esteem of everyone, including the soldiers in Afghanistan. The decision to honour all of our war dead follows protocol and tradition, which is a long tradition in this country, to remember them all on Remembrance Day, November 11.

As a matter of fact, the policy that the minister and the Department of National Defence are following is one that was brought in last November by the former Minister of National Defence, the Honourable Bill Graham.

• (1500)

Senator Day: Honourable senators, I understand the honourable leader is talking about the older protocol. That is the same protocol that would provide for the flag to fly at half staff over the Peace Tower when I die. However, it cannot and it does not recognize such a serious situation as has just occurred in Kandahar, Afghanistan. I understand as well that the last two Prime Ministers changed the custom and created a new custom to provide recognition for such terrible losses, by flying the flag at half staff on the Peace Tower.

I should like the Leader of the Government in the Senate to inform us who made the decision to change the custom of the last two Prime Ministers and why it was decided to revert to the older protocol.

Senator LeBreton: Honourable senators, I answered that question in my last answer. Last November, a young soldier died in Afghanistan and the flag was not moved to half staff. That decision was made by the previous government and by the previous Minister of National Defence, the Honourable Bill Graham.

AGRICULTURE AND AGRI-FOOD

FARM INCOME CRISIS AND DISASTER RELIEF— CANADIAN AGRICULTURAL INCOME STABILIZATION PROGRAM

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, when we were here on April 6, the farmers of this area were demonstrating in force on the front lawn of the Parliament buildings, drawing the attention of the government and in fact everyone to the precarious state of the agricultural sector.

When we returned yesterday to Ottawa, some of us saw, once again, agricultural producers with their machinery — their iron, as we would say — near the Hill, making the same point that they did on the first sitting week of this Parliament and drawing attention, by way of protest and according to their signs and their words, to the lack of action by the government in addressing their concerns.

My question to the Leader of the Government concerns the disappointment and confusion concerning the statements the government has made regarding the agricultural sector. As I mentioned when I rose on April 6, when the Prime Minister was campaigning in December of last year in Chatham, he stated that a new Conservative government would scrap the Canadian Agricultural Income Stabilization Plan, CAIS, and introduce a simpler and more responsive program.

When I asked the leader about this, she confirmed that CAIS would be replaced. However, at a meeting of federal, provincial and territorial agricultural ministers in British Columbia, there was an apparent agreement to transform the CAIS rather than replace it. That was the view of the provincial and territorial representatives who met Minister Strahl. When the federal Minister of Agriculture returned to the language of abolishing the CAIS program after that meeting, the provincial and territorial ministers were critical, to say the least. The Saskatchewan Minister of Agriculture, Mark Wartman, said that he needs to be able to count on the fact that when he leaves a meeting and has an agreement, that the agreement is real. Leona Dombrowsky, the Ontario Minister of Agriculture, said, "I think the minister's comments are irresponsible. It sounds like a flip-flop to me." On April 6, Minister Horner of Alberta, in a press release speaking on behalf of the provincial agricultural minister, said "Ministers expressed concern that the federal government is unilaterally calling for the replacement of the nation-wide risk management program when all parties at the federal-provincial-territorial meeting held only weeks ago agreed to work together to transform the program." That was the unanimous view of the provincial and territorial agricultural ministers on the CAIS.

Did the Prime Minister know or have any idea of what the wishes of the provinces were when he promised to eliminate the CAIS? In view of the unanimous decision by the provinces and territories, does the minister stand by the answer of April 5 that the program will be replaced?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank the Leader of the Opposition for that question.

I listened carefully to Senator Callbeck when she said that "this whole issue is not to be solved quickly." Truer words were never spoken. It is true that the farm group has been out on the lawns and other places in Ottawa. The Minister of Agriculture has met with all of the ministers of agriculture. The honourable senator quoted different things that different ministers have said. I read an article the other day about farmers saying that they appreciated the efforts of Minister Strahl and that he is seized of their problems. It is a complex problem, as we know.

At this moment, I can only say that the Minister of Agriculture is very much seized of this very serious problem. These matters have not developed since January 23. I am hopeful that the Minister of Agriculture will come up with solid initiatives for farmers within the next short while.

Senator Hays: Honourable senators, I take it that it is not clear whether or not the CAIS program will survive. That is not a satisfactory situation for many producers. They would like to know what programs are available to them at this time of stress. I would urge the minister to try to determine, if she possibly can at the earliest possible date, what the position is with respect to CAIS. This subject will come up again, but that will be the sentiment of further questions she will receive as time goes on.

By way of supplementary question, the producers are facing a serious situation now. Senator Fairbairn asked a question in this regard and the Leader of the Government in the Senate gave a hopeful answer when we met at the first sitting of the Thirty-ninth Parliament. This is a matter that will not go away. Senator Callbeck is right; a resolution will take time. However, certain things have to be done in an ad hoc fashion and very quickly. Many of us, from both sides of the chamber, attended a breakfast this morning hosted by the Ontario Federation of Agriculture at which industry representatives were present. To highlight the seriousness of the situation, we were told that the fiscal years from 2003 to 2006, 2006 being anticipated, are the four most financially stressful years in terms of net farm income that have been experienced in Canadian agricultural history.

My supplementary question relates to a precedent that was set by the Conservative government headed by Brian Mulroney, whom we applauded a moment ago for his environmental contribution, when they were faced with a similar situation in the agricultural sector in the mid-1980s. At that time the government established an ad hoc program called the Special Canadian Grains Program. In 1987, the government made a \$966 million transfer to producers to address an urgent situation and did it in a timely way. In 1988, a further \$1 billion and \$65 million in ad hoc payments were transferred to producers in terms of dealing with a stress situation that is the same as the one today and, perhaps, not as bad as it was then. Is the government considering a similar program at the present time to assist agricultural producers?

Senator LeBreton: In order that honourable senators are aware, as of April 20, 2006, \$466 million has been paid to producers and \$39 million has been transferred to the Province of Quebec for Quebec producers.

In addition, during the election campaign, the Prime Minister committed to increasing federal investment in agriculture by \$500 million annually. I can say quite definitively that the government intends to follow through on that commitment.

• (1510)

Senator Hays: I have a final supplementary question, which is more a comment than a question. The payments that the minister refers to are welcome and much appreciated. However, they do not address the magnitude of the problem in the same way that programs have in the past, and I cited one. It seems the government underestimated the gravity of the situation facing Canadian agriculture during the election in terms of the usefulness of the CAIS program. As we know, the CAIS program is not necessarily a universally popular program and more is needed.

I could leave the question with the minister to transfer to her colleagues, to Minister Strahl in particular. This is a matter that needs immediate attention and this spring is the deadline.

Senator LeBreton: The honourable senator said he was making a comment, so I will comment also. I do not think anyone on this side underestimates the gravity of the situation facing the agricultural community. Minister Strahl has been meeting with agricultural producers and ministers for the last two and a half to three months and there is no one that is more committed to finding a long-term solution.

Senator Mercer: There is no action from this government. Farmers are going broke.

Senator LeBreton: The Canadian public actually voted to put an end to this overblown rhetoric and shouting. With due respect, we do respect the farmer. We do not underestimate the challenge they face and I can assure the honourable senator that the government is very much aware of the situation and is working very hard to resolve it and to find some long-term solutions.

Senator Mercer: If there is anything left of the industry.

FARM INCOME CRISIS AND DISASTER RELIEF— PROGRAM TO SUPPORT ALTERNATIVE CROPS

Hon. Gerry St. Germain: Honourable senators, I have spoken to Minister Strahl, as many others may have done. Senator Gustafson and I have been on the ground in Saskatchewan, trying to establish the gravity of the situation, which we understand because we happen to be in agriculture.

The Leader of the Opposition pointed out that the years from 2003 to 2006 have been the worst years for our farmers. Can the Leader of the Government in the Senate indicate why a program has not been put in or alternate crops suggested? The farmers have been asking why there has not been a transition to canola and other products for ethanol and biodiesel. Could the Leader of the Government tell the Senate what proposals the government has? This is the solution and it should have been done three years ago.

Hon. Marjory LeBreton (Leader of the Government): I thank Senator St. Germain for his question. The question of diversity of crops, transferring over to other crops is a question that is receiving a significant amount of attention from Minister Strahl and others. I will be happy to take the question as notice and reply at a later date.

NATIONAL CHILD CARE

PROPOSED GOVERNMENT PROGRAM

Hon. Sharon Carstairs: My question is to the Leader of the Government in the Senate. I believe the government may call their \$1,200 taxpayer payment to parents of children under the age of six many things, but they cannot call it child care because it will not make a dent in the cost of quality child care anywhere in this country.

My question is why is the government using this vehicle? There are four reasons why I want to know the answer. First, the \$1,200 is not tax deductible, so it will not result in a \$1,200 payment. Second, many of the provinces have not agreed not to claw back this money from welfare recipients, the poorest of the poor, so they will lose more of this \$1,200. Third, those living in social housing will lose an additional part of the \$1,200. In my province that can be as much as \$275. Fourth, many families will suffer a reduction in their national child tax benefit, thereby leaving some families with less than \$400 out of the till called \$1,200 for child care. Can the minister explain why this is the vehicle being used?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, let me quote a Liberal who, according to the *National Post*, said that the Liberal national child care program was nothing but “a deathbed repentance.” That is a direct quote from Tom Axworthy.

I can answer the question in two ways. First, no one would ever suggest that we are not committed to creating new child care spaces in this country to support families. Second, with regard to the payment of \$1,200 per year per child under the age of six, this is a more universally accessible child care. It is not the answer to everything, but it puts into the hands of parents money to help them make child care choices. I believe that this measure will go a long way.

It is interesting that one of the groups who has been supportive of \$1,200 per child under six is senior citizens, many of whom are looking after their grandchildren. We are not suggesting that we do not have an additional child care plan, and we will be offering incentives to provide child care spaces. However, the key is flexibility and choice. This proposal is just a start. Someone was telling me the other day that only 20 per cent of parents access the child care facilities as they are right now. This is a payment to give parents all over the country more choice in child care, whether they work inside or outside the home.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting delayed answers to an oral question raised on April 5, 2006, by Senator Austin regarding the World Trade Organization Negotiations,

Doha Round, Supply Management; an oral question raised on April 5, 2006, by Senator Atkins regarding CFB Gagetown and the testing of Agent Orange and Agent Purple; an oral question raised on April 6, 2006, by Senator Hays regarding biofuels and the deadline for adding 5 per cent biofuel to all Canadian fuel; and to an oral question raised on April 6, 2006 by Senator Carstairs regarding Employment Insurance Compassionate Care Benefits.

AGRICULTURE AND AGRI-FOOD

WORLD TRADE ORGANIZATION NEGOTIATIONS— DOHA ROUND—SUPPLY MANAGEMENT— DESIGNATION OF MINISTER

(Response to question raised by Hon. Jack Austin on April 5, 2006)

Canada is continuing to work hard at the WTO to achieve a more level international playing field through the elimination of export subsidies, the substantial reduction of trade-distorting domestic support, and real and significant market access improvements. We will continue to press hard for a fair deal for the entire sector.

Canada is facing pressure in the WTO agriculture negotiations on key issues of importance to Canada's supply management system.

The Government is committed to defending Canada's ability to choose how to market its products, including through orderly marketing systems such as supply management.

NATIONAL DEFENCE

CFB GAGETOWN—TESTING OF AGENT ORANGE AND AGENT PURPLE

(Response to question raised by Hon. Norman K. Atkins on April 5, 2006)

Options for government compensation are being developed in order to respond to concerns raised by Canadian Forces (CF) members, Veterans and area residents about the health effects of Agent Orange herbicide use at CFB Gagetown.

In addition, any CF member or Veteran who feels they have an illness associated with exposure to Agent Orange or other herbicides at CFB Gagetown can apply for a VAC disability pension.

AGRICULTURE AND AGRI-FOOD

FARM INCOME CRISIS AND DISASTER RELIEF

(Response to question raised by Hon. Daniel Hays on April 6, 2006)

The target of 5 per cent renewable content in Canada's transportation fuels by 2010 will require three billion litres a year of biofuels — a ten-fold increase from current use.

We are working towards this goal in cooperation with the provinces and territories. The Council of Energy Ministers, co-chaired by Minister Lunn, is coordinating work to develop a national framework on renewable fuels.

Three provinces have put legislation in place to require ethanol in gasoline; most provide road tax exemptions or other incentives. In addition to the provincial measures, the federal government has had a capital incentive program and continues to exempt biofuels from federal fuel excise taxes.

These existing cooperative federal-provincial measures are expected to increase Canadian production of ethanol by over one billion litres per year by 2007 with four new plants coming on-line in 2006, and others expected in the coming years.

Increased use of biofuels in Canada could improve the economics of agriculture to the extent that farmers participate in this value-chain. It can also have positive environmental benefits, while promoting rural economic development and technology development.

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

EMPLOYMENT INSURANCE COMPASSIONATE CARE BENEFIT

(Response to question raised by Hon. Sharon Carstairs on April 6, 2006)

In November 2005, the previous government announced a proposed change to the eligibility criteria under the Compassionate Care Benefit. Consultations on the proposed change are now complete and the Government is reviewing the results.

An evaluation of the Compassionate Care Benefit is currently being carried out and is expected to be complete by mid-2006. Decisions on possible changes to the benefit will be based on the results of that evaluation.

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-ninth Parliament.—(2nd day of resuming debate)

Hon. Maria Chaput: Honourable senators, I listened carefully to the Speech from the Throne given by Her Excellency the Governor General of Canada. This speech, the first of the Right Honourable Stephen Harper's government, left me with many questions and concerns.

In the throne speech, the government said it wanted to build a stronger Canada that drew its strength from the diversity of its people and its regions by setting a clear and focused agenda. But does this agenda reflect the values and priorities of Canadians? Do these measures address the concerns of the people?

[English]

In turning a new leaf, will the government provide ordinary working families with the support they really need? Will poor families make enlightened choices with respect to child care if the choice comes down to deciding between cash and quality child care services? A cash payout to parents is not a child care program.

• (1520)

[Translation]

The well-being of children and families is of particular concern to francophone minority communities, who wonder whether the government's actions are truly in their best interest. Providing a range of early childhood services is crucial to ensuring the survival of francophone minority communities. I would not want these communities, to which I belong, to feel that they are back to square one, that their past arguments are no longer relevant.

Before the election, the leaders of the three federalist parties signed a solemn commitment to ensure that the federal government fosters the growth of francophone minority communities. This solemn promise presented by the Fédération des communautés francophones et acadiennes du Canada (FCFA), includes commitments to promote linguistic duality and support the development of organizations and institutions within francophone and Acadian communities. Prime Minister Harper signed this promise.

FCFA President Jean-Guy Rioux congratulated all three leaders on their vision. However, the FCFA raised concerns following the Speech from the Throne. "This speech", said Mr. Rioux, "does not place linguistic duality or diversity on our country's list of fundamental values".

In a February 23, 2006, press release, the Commission nationale des parents francophones (CNPf) appealed to the government to honour the early learning and child care agreements concluded in 2005 with the ten provinces. The principal organization representing francophone parents in Canada was responding to Prime Minister Stephen Harper's intention to quash these agreements in 2007. The Commission argued in favour of building on past achievements order to continue to meet the needs of young Canadian families.

"These agreements are very important to us", said CNPF President Ghislaine Pilon, "They are the culmination of many years of work by the Commission and its partners with the federal

government, and by our members with their partners across the country". "Children are our future", she added. "Francophone parents want to calmly discuss ways that would see Canada make children the focal point of its social vision".

Honourable senators, you will no doubt remember the report of the Standing Senate Committee on Official Languages tabled on June 17, 2005. The CNPF strongly supported the conclusions of the Interim Report of the committee on French-language education in a minority setting, subtitled *A Continuum of Early Childhood to the Postsecondary Level*.

In this report, the Senate committee called on the federal government to implement policies and programs that addressed the needs of francophone parents and early childhood development. "After 10 years of school governance, the situation is still shaky," said Ms. Pilon. "Only half of francophone children enter French-language kindergarten, and only a fraction of those will go on to pursue post-secondary studies in French. Our initiatives lack long-term viability. The Senate has understood: We have no time to spare; things must change now!"

"There is an encouraging link between the Senate Committee's report and the Sommet des intervenants en éducation," said the CNPF President, "As long as we have initiatives for francophones, why not give them the tools they need to succeed? The research is abundantly clear on the importance of investing early and heavily in young children. The basis of the continuum the Senate Committee talked about is getting children off to a good start. And this is where we need to start in order to prevent assimilation."

As a native Manitoban, I cannot forget that, in my province, access to French-language education was abolished in the 1890s. It was not until 1979, in the Forest case, that the Supreme Court of Canada found Manitoba's Official Languages Act to be unconstitutional.

We must not further undermine the infrastructures in place and accelerate the trend toward assimilation, which is an ever-present threat. For the past 35 years or so, the federal government has held itself up as the chief advocate for official-language minority communities. Its leadership and financial support are instrumental to the development of francophone minority communities and their institutions. Whatever happened to the solemn commitment signed by Mr. Harper before the election? There was no mention of it in the Throne Speech.

I would now like to talk about culture and the arts. The government must recognize the importance of artistic creativity to a nation's vitality. The government has always had a key role to play in supporting the arts; no worthy artistic community could survive without such support. The Department of Canadian Heritage must introduce various programs and initiatives to promote the arts and culture in Canada.

[English]

Let us remember that the arts are a reflection of Canada's evolving culture and our national identity at home and on the international stage. The arts enrich our lives, celebrate Canada's great diversity, demonstrate openness to new cultures, promote an international reputation for excellence in creativity and help to showcase Canada to the world.

[Translation]

René Cormier, President of the Fédération culturelle canadienne-française (FCCF), was deeply disappointed:

The message we get from the Speech from the Throne is quite clear. Francophone art and culture have been eradicated from the vision of Canadian society as the Conservative party sees it.

I would now like to return to early childhood development and discuss the link between language, culture and education in francophone minority communities. In minority communities, culture and education act to protect and promote language, and the institutions that support language — schools, arts facilities and cultural centres — are the main places where francophones can assert and express their identity.

How can cultural identity develop in a minority community where people grow up in often difficult circumstances and where obtaining services in their mother tongue is too often exhausting, if not impossible? Francophone schools in minority communities have a key role to play in early childhood development, strengthening cultural identity, and protecting the French language and culture.

The education system alone cannot solve all the problems of minorities. But without such a system that ensures the transmission of language and cultural values, minorities will be doomed to assimilation.

Schools in minority communities have an impact on the linguistic vitality and the development of the community, a role that schools in majority communities do not have to fulfill. French-language schools in minority communities give people the means to counter assimilation and take control of their future.

Early learning and child care are therefore the starting point for transmitting language and cultural values. Child care is not a luxury, it is a necessity. The commitment made by governments in 2004 to a national child care program with \$5 billion in federal funding over five years gave francophone minority communities an opportunity to plan for the future of their children.

The priority of francophone minority communities is to ensure that Mr. Harper's Conservative government honours the 10 multi-year child care agreements reached with the provinces.

[English]

The Conservative government calls its election promise a "choice in child-care allowance." It may be beneficial to parents as a family allowance, but it does not address broader child care needs. The Conservative's plan ignores Canadians' desire for quality early learning and child-care needs.

[Senator Chaput]

Honourable senators, here are some concrete examples of what Canadian families want.

In March 2006, the Ontario Public School Boards' Association wrote a letter to the Right Honourable Stephen Harper. That letter reads, in part, as follows:

The future of Canada is dependent upon the education of our children and dependent upon the start we give them in life. Investing in our youngest children in the early years represents the most far-reaching and responsible investment we can make in Canada's future.

An article by Bill Moore-Kilgannon appeared in the *Edmonton Journal* on March 14, 2006, entitled, "Childcare set to take three steps back." In it, Mr. Moore-Kilgannon writes:

...the \$100 a month is simply not going to make a difference for many families who are desperately looking for quality childcare...

...Alberta families who rely on or are looking for quality affordable childcare are starting to realize that something is about to land on them, and force them to take three steps backward.

Another article, this one by Paulette Senior, CEO of YWCA Canada, appeared in the *Ottawa Citizen* on March 24, 2006. That article is headed:

Listen to the parents: Prime Minister Stephen Harper shouldn't underestimate Canadians' desire for quality, accessible child care.

In the article, Ms. Senior wrote:

Since Feb. 24, more than 22,000 Canadians have signed an on-line open letter that urges politicians to work together to honour the child-care agreements created last year....people from all walks are saying the same thing: \$1,200 a year is not enough. Canada can, and must, do better.

• (1530)

Hayley Wickenheiser, a gold medal winner and hockey star at the Turin Olympics, as well as a mother, signed the open child care letter a few weeks ago. Municipal mayors and police chiefs have signed the letter. School boards and directors of health units have passed resolutions demanding that the federal government fund the kind of child care that \$1,200 a year cannot create.

A recent survey of Canada's top 150 corporate executives shows that only 9 per cent thought that axing the federal-provincial child care agreements should be a top priority. Pundits have speculated that business leaders, especially those in large companies, prefer that women find affordable child care because their skills are needed in the workforce.

Our Liberal leader, the Honourable Bill Graham, presented the following argument in his reply to the Speech from the Throne when he said:

Many advanced countries in Europe and elsewhere have recognized the importance of early learning and have had the foresight to establish national child care programs. These governments have been commended for doing so by organizations like the OECD (Organization for Economic Cooperation and Development), who see child care as a critical element of an advanced and progressive economic policy as well as important social policy.

[Translation]

Honourable senators, I would like to conclude by stating the position of francophone parents in minority communities. The report of the Commission nationale des parents francophones (CNPFF) is clear:

Francophone communities gained a place in the 2005 learning and child care agreements. The inclusion of provisions aimed at francophone children in each of these agreements is a first in Canada. The federal government must not withdraw this support for Canadian families, especially francophone families.

[English]

If there is one program that must be immune from partisan cutbacks, surely it is the National Child Care Program so needed by our Canadian families. Furthermore, if the Prime Minister is serious in his written pre-election promise to the Fédération des communautés francophones et acadienne du Canada, then Prime Minister Stephen Harper will recognize that it is time to honour the previous agreement made with the people of Canada about meeting the needs of Canadian children and their families.

[Translation]

In turn, the specific needs of francophone minority communities will also be met.

[English]

Dr. J. Fraser Mustard, Companion of the Order of Canada, founding president and fellow of the Canadian Institute for Advanced Research (CIAR), has had a diverse career in the health sciences, research and the private sector. Dr. Mustard has been a leader in Canada on the socioeconomic determinants of human development and health. A particular emphasis has been on early childhood and the role of communities.

[Translation]

At a conference in February 2006, held by the Commission nationale des parents francophones, in partnership with the Société Santé en français, Dr. Mustard spoke on early childhood development in pluralistic and democratic societies. His position was absolute:

One of the critical steps in a child's first years is the development of language and literacy. Children who are exposed to two languages in their first eight months can

speak both languages easily and without accent. They are also capable of learning more languages. For a country that wants to build a pluralistic and democratic society, it is absolutely essential to establish high-quality development programs for young children in linguistic minorities.

Honourable senators, if the early learning and child care agreements reached in 2005 are not honoured, the consequences for francophone minority communities will be profound.

For example, at the national level, this would jeopardize the implementation of strategic plans and action plans developed by the CNPF and their provincial counterparts; jeopardize the creation of a national, affordable and stable quality child care program that Canadians have been waiting 30 years for, as well as the efforts to improve the status of child care professionals; and deprive francophone communities of a new tool to help them properly prepare their children for school, when we know that only half of francophone children enrol in French-language schools.

The Hon. the Speaker pro tempore: I am sorry to inform Senator Chaput that her 15 minutes have run out. Does she seek leave to continue?

Senator Chaput: Yes, honourable senators.

The Hon. the Speaker pro tempore: Is leave granted, honourable senators?

Hon. Senators: Agreed.

Senator Chaput: In francophone Manitoba, the consequences will be just as terrible. Going back on the 2005 agreements will reduce the number of child care spaces and lengthen waiting lists; eliminate scholarships for those wanting to pursue a career in early childhood education; and eliminate expected funding for the Collège universitaire de Saint-Boniface for its new program in early childhood services administration, *Leadership en jeune enfance*.

Honourable senators, I have before me a document from the Commission Nationale des parents francophones. I also have the agreement in principle between the Government of Canada and the Government of Manitoba. These are the things that will be eliminated and it is the communities, families and children that will pay the price.

Hon. Hugh Segal: Honourable senators, I hope I misunderstood the first part of the honourable senator's comments. I understand that there are disagreements among the parties in the Senate on the issue of the national child care policy.

If I understand correctly, you suggested at the start of your remarks that Conservative policy will restrict the growth of French-Canadian culture and education outside Quebec. Am I to understand that, in your opinion, this is the purpose of our policy? Am I correct in my understanding of your remarks here before your colleagues in the Senate of Canada?

Senator Chaput: Honourable senators, indeed, if the agreement is not honoured and the funds are not provided for early childhood education, which would cut the number of places in daycare and the programs in French associated with our schools to ensure that early childhood education is an integral part, yes, it will put the survival and growth of francophone minority communities at risk.

French school in minority situations plays a dual role that must begin birth, because we are working, as you know, honourable senators, within a community that has an anglophone majority.

Our survival depends on it, as does the number of students registering in our French schools, if we have not planned for this sort of program.

Hon. Madeleine Plamondon: Honourable senators, I have found this a very eloquent speech. I support fully the interests defended by the hon. senator. However, in order for children in Quebec to benefit from this program and others remaining at home who would welcome the cheque for \$1,200, would you not agree that it is a matter of choice for families not wanting to send their children to daycare but keep them at home with financial support and for those wanting to send their children to daycare and benefit from the child care system? This way, neither would have to do without, depending on their choices.

Senator Chaput: Honourable senators, ideally, in some instances it would be good to have both the cheque and the daycare system. However, it must be remembered that in our case, in French-speaking Manitoba, children sent to care that is not francophone are not given the French environment that will allow them to grow. In most cases, caregivers speak little or no French, and bilingual daycare centres do not operate in French. The young child placed in child care because the mother has to work learns English, because French is not commonly spoken. Our children are assimilated and then someone has to try to turn them back into francophones. It does not work. Numbers are not growing in our French schools, they are shrinking. One day, they will no longer be there. That is why it is so important to us.

• (1540)

Hon. Aurélien Gill: Honourable senators, when the recent federal election was held, Aboriginal Canadians once again had a very low voter turnout, a sure sign that they take little interest in politics. Many Aboriginal people feel that politics has nothing to do with them.

Moreover, as the recent Speech from the Throne clearly illustrates, the government pays little attention to Aboriginal affairs. Do you not see a connection between the two?

How do you expect Aboriginal people to take an interest in politics when neither the federal government nor the provincial governments recognize any of the First Nations' own political institutions?

As well, our peoples are lost amid electoral boundaries that do not take into account their very existence on the land. Our peoples still come under the legal and administrative authority of an outside power by virtue of the Indian Act. They have no autonomy.

We are still isolated, scattered, weakened bands. Our communities and nations have been broken up and divided to fit the provincial and federal territorial divisions.

At best, we are lobby groups. We are delegated administrators, subject to rules of governance foreign to our nations.

In 2006, we are still at the mercy of powers we do not have. In a word, we are clients, beneficiaries, if not "problems" that people sometimes wish would go away.

We are still not players in the Canadian political arena. Are we condemned to be dependent? What did we do to become prisoners of the shadowy margins of society?

[English]

I will repeat over and over again that we must start with the foundation that is the power to govern ourselves through suitable, basic and absolutely essential political institutions.

[Translation]

It is urgent for our nations to establish a constituent assembly with a mandate to start anew, or almost, in creating this new Aboriginal world, a world that is responsible and politically, economically, legally, socially and culturally unique.

This creative process, Estates General of a sort, would bring together all concerned under Aboriginal control, and would not be limited in time, providing at least as much time as do federal and provincial legislatures to debate issues of importance to the country.

A two-century-old anomaly cannot be resolved in a week.

The paramount objective of such an assembly would be to make numerous changes to put an end to this intolerable trusteeship.

It is all well and fine to talk about self-government, governance or principles of any kind, but the fact remains that such discourse becomes exasperating and an exercise in frustration. Those are empty words that obfuscate the truth.

[English]

We, the Aboriginal people, still do not have political structures that are really our own. We have no representatives, no policies — we have nothing.

[Translation]

Enough with all the commissions, committees, meetings, assemblies and consultations that lead nowhere. It is high time we put an end to this circus and break the vicious circle. Gone are the days when we could be considered unemancipated minors with numbers belonging to bands.

Gone are the days of federal government handouts.

Gone are the days of the Indian Act.

Gone are the days when we were kept under guard in Indian reserves.

Gone are the days of the department and its Indian agents who had almost total control over our representatives and our lives.

Gone are the days of the department and its needless and inefficient controls, its administrative delegations, its more or less useful reports, its statistics, and its budgets, all designed to serve the objectives of the ruling party, that is, the federal government.

This whole process has resulted in subordinating Aboriginal objectives to all other political objectives.

All of that has to come to an end. It is time to stop making moccasins for us in Ottawa. They hurt us as we walk the paths of our ancestors.

It is time for our responsible government to begin. Here is why I say, first, our government.

No one can presume to imagine the results of truly Aboriginal action to design our own government structures and institutions. One thing is certain: they will bear little or no resemblance to what exists today.

Second, our identity. Canadians would be surprised to learn that Aboriginal peoples have no say over their identity. Since the nineteenth century, the government has dictated the membership rules through the Indian Act.

We are not peoples or First Nations. We are bands, and each individual Indian is a registered number, a number belonging to a band, as I said earlier.

It is as if we no longer had any cultural ties or historical status, as if we never had had a territorial or political existence.

[English]

My fellow senators, the day our government is created this identity issue will be a priority on the agenda. What in fact are First Nations? What in fact are Aboriginal people in Canada?

[Translation]

Today, nobody takes identity into account in Indian issues.

We Aboriginal peoples must revive our community affiliations so as to better define where we belong as Aboriginal people.

An Aboriginal person is Haida, Dene-Gwitchin, Siksikwa, Anishnabe, Mi'kmaq, Innu, and so on.

I dream of the day when Canadians will know us by our real names and when we ourselves will find our own true identities.

I dream of the day when we will control the cultural and historical parameters of our Amerindian and Métis citizenship; it will be then that we rejoin the world.

We will stop being ghosts and non-citizens, totally dependent on the charity and nurture of the state.

Third, taxation. While Canadians do not know us at all as diverse peoples, they do know us as Aboriginal people, privileged because we are exempt from tax laws.

[English]

This is an important part of the issue. We come across as the spoiled child of the family when in fact we are the worst off.

[Translation]

The image of the child is relevant. The fact that Indians living and working on reserves do not pay taxes is part of our status under the Indian Act, a status that radically limits our rights and confirms that we are under trusteeship.

This situation must disappear forever. It is humiliating and a source of misunderstanding, prejudice, jealousy and utter ignorance.

The day we can take a census of our own citizens, the day we have national, regional and local institutional control, we too will have the chance to generate and manage our own tax base and we too will join the discussion on equalization, on fiscal imbalance and on royalties for natural resources.

Then we will stop being even more marginalized as we watch multinationals developing our natural resources.

We will stop being questioned and prosecuted by the very people who are responsible for managing the Indian Act.

Fourth, wealth. In English we say money talks. Yes, my friends, money talks, but it is high time for it to speak Indian.

For 50 years now, succeeding governments have talked about economic development for Aboriginals.

For 50 years now, we have been talking but no one has been listening. Once again, the current government is adding to the bottomless pit of empty words. It talks about its economic worries and about encouraging entrepreneurship in Aboriginal communities. I do not know whether to laugh or cry. No one can distribute wealth that has not been created. No one can create wealth from nothing.

I do not think I am going out on a limb when I say that economic development is linked to a society's ability to control its destiny.

• (1550)

We have been excluded from the economy for generations. We do not have access to resources. For the most part we have tiny insignificant Indian reserves.

Is it possible to develop an Indian reserve? No, it is not.

Economic development means owning resources, fiscal jurisdiction, space and territories, education, market, partnership.

[English]

Aboriginals will never develop economic autonomy without the essential conditions required.

[Translation]

Let us be clear. Nothing will ever be possible — government, wealth, ownership, taxation — if we do not resolve, once and for all, the matter of Aboriginal lands based on First Nations national conferences.

For nearly 40 years, little progress has been made on the issue of land claims and specific agreements, as the current Minister of Indian Affairs is fully aware. He was an Indian claims commissioner for several years, as was I.

At this rate, we could spend centuries wasting time in legal and political tinkering. Quite frankly, with crises erupting everywhere, the situation is becoming ridiculous.

I believe it is crucial that the Government of Canada, the provincial governments and an Aboriginal government, one that is duly representative and vested with full powers, all sit down together to reach a comprehensive and definitive agreement: a meaningful distribution that will satisfy all First Nations, not on the basis of bands, but rather on the basis of actually descent from specific historic peoples.

These lands are the cornerstone of every aspect our future. As our leaders stated 40 years ago, and even much earlier — I was among them:

If we could reclaim our ancestral land with even a fraction of its natural resources, we could easily fulfil our legitimate needs and we would no longer be viewed as having no history, no future and as foreigners in our own land.

In view of the preceding, I ask that common sense prevail as I call attention to a matter that has been overlooked in the past.

[English]

We had our rights; we had our law. We must therefore work together to modernize our customary rights in order to coexist socially and civilly with the common law and the civil code.

[Translation]

Because in this respect, we, the Aboriginal peoples are all distinct societies, with unique and different cultures. What a great and wonderful challenge it would be to establish Aboriginal customary law by bringing together the cultural heritage of our nations.

[Senator Gill]

There are some fifty First Nations in Canada, not 630 Indian nations. These 50 peoples — from Inuit to Mi'kmaq, from Kakwakakwa to Eeyou, from Iroquois to Dene-Sarcee — bring unique knowledge and creative resources.

We wish to live, contribute, participate and, above all, we wish to solve our problems.

Honourable senators, for years I have been saying in so many different ways and venues that this is an urgent matter.

I am proud to be Aboriginal, a senator, a member of the Canada's upper house.

[English]

I am not proud to see my country, Canada, so blind and insensitive to the glaring problems of Aboriginals.

[Translation]

There is little time. Time is a luxury we can no longer afford. I am growing old and am in a position to know how things have dragged on since the time when I was a young band chief. We have made progress in 50 years; however, we continue to put off the important issues.

When I see, either at first hand or through media reports, the difficulties which our people experience in prisons out West, in city and downtown streets, in northern ghettos, the family violence that exists — when I see all this misery akin to that found in the Third World, I am sad.

There is no need for this in a wealthy country such as ours.

The changes I would like to see — in our general condition, government, wealth, territory, our identities — are not a whim or petty politics. The future of Aboriginal Peoples is at stake — and this future is shared by Canada.

Finally, I cannot leave you without recognizing the recent appointment of the new Minister of Indian Affairs, Jim Prentice. I know the man, but, more importantly, I know that the man knows the issue.

He is an old hand in Aboriginal affairs, and I allow myself to dream that he might have the support, the ear and the heart of his Cabinet colleagues. The position of Minister of Indian Affairs is difficult and thankless. It is like being responsible for a huge black hole, to which no one gives priority. As I know him and know his skills and experience, I wish him the best of luck and invite him to work hard so the wall of silence may be broken.

Honourable senators, how should I conclude? It will take more than the government's billions to resolve this.

[English]

We, the First Nations, no longer want to be dependent. We no longer want handouts. We no longer want to be trailing behind a power that does not belong to us.

[Translation]

Dignity requires it.

We want to be who we truly are. We want to be responsible for our future by having what is rightfully ours. That in essence is what I have said in setting out my plan.

May God let me see it in my lifetime.

On motion of Senator Comeau, debate adjourned.

PUBLIC SERVICE EMPLOYMENT ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Pierrette Ringuette moved the second reading of Bill S-201 to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes).

She said: Honourable senators, I have the honour today of beginning debate on second reading of Bill S-201 entitled An Act to amend the Public Service Employment Act, which I tabled on April 5.

The intent of this bill is twofold.

First, it would disallow the establishment of geographic criteria to determine an area of selection for the purposes of eligibility in appointment processes.

Second, the bill would ensure that appointments to or from within the public service are free from bureaucratic patronage.

• (1600)

Currently, the Public Service Commission uses geographic criteria to define eligibility for internal and external public service competitions.

This geographic restriction to obtaining federal government jobs is set by regulation and, for the most part, limited to a 50-kilometre radius of the official site of the competition, which prevents qualified Canadians from getting a job.

This current selection process limits access by all Canadians to public service jobs. This situation concerns federal government jobs in an entire region and even an entire province, since a person's candidacy is automatically rejected if they live outside the 50-kilometre radius.

[English]

For instance, in the greater Ottawa region, the capital region that includes portions of Ontario and Quebec, the population is almost 1 million. Those 1 million residents have almost exclusive access to 60 per cent of the federal public service jobs, and that excludes Crown corporations, agencies and employees on Parliament Hill.

With a small percentage of these jobs located in Montreal and Toronto, we therefore have 0.3 per cent of the Canadian population that has sole access to roughly 60 per cent of federal government jobs. Sixty per cent of federal government jobs amounts to 200,000 jobs. If you averaged the salary at a low of \$55,000 per year, this represents an annual payroll of \$11 billion, with about \$7.5 billion in Ontario alone.

Along the same lines of argument, and in the spirit of equity and justice, the 0.3 per cent of the population within the capital region does not have access to the other 40 per cent of federal government jobs located outside the national capital. Therefore, 99.7 per cent of Canadians have access to 40 per cent of federal government jobs, as long as they live within 50 kilometres of that job.

For instance, people living in Kingston cannot apply for a job in Ottawa. People in Hamilton cannot apply for a job in Toronto. People living in Edmundston, Grand Falls and Woodstock, New Brunswick cannot apply for a job in Fredericton, Bathurst or Moncton, New Brunswick.

The official website for job openings for the Government of Canada is jobs.gc.ca. I go regularly to that site. The last time I went there, there were four options listed. For jobs with no geographic restriction, there were 43 listed and they were various across the country. Jobs in this region — the national capital area and eastern Ontario — had 30 jobs listed.

Hon. Sharon Carstairs: On a point of order. There is someone in the chamber who has a Rogers BlackBerry and it is constantly going off. It is contrary to the rules of the Senate. Would they please turn it off?

Senator Percy Downe: The BlackBerry might have been left behind by somebody. We should enforce the rule. However, these instruments should not be allowed in the chamber at all. It is an insult to the senator trying to give her speech.

The Hon. the Speaker pro tempore: The rules are that BlackBerries are not allowed in the room. The Speaker has an intention to put this rule into order. I do not know if that will be done today.

Senator Corbin: Ban the BlackBerry and ban the owner of the BlackBerry.

Senator Ringuette: Honourable senators, I would like to pursue this. I find this is very important. I do realize the BlackBerry situation is an issue, but with your indulgence I will try to continue with all the energy I can to express my very deep concern about this bill.

Senator Carstairs: The problem is we cannot hear you.

Senator Ringuette: I can promise you that I have a very loud voice when I want to.

An Hon. Senator: We know!

Senator Ringuette: For the national capital region and eastern Ontario, 30 jobs were listed; 18 of them were exclusively for this region and 12 were for various regions. All in all, 60 per cent were exclusive to Ottawa.

In New Brunswick, there were 11 jobs listed, but two for New Brunswick only. That means only 18 per cent were exclusive for New Brunswickers. In Quebec, 24 jobs were listed, 14 restricted to 50 kilometres, which is 58 per cent exclusiveness. This is not a very proud moment for this situation.

I will now highlight for you some facts as stated in the 2004-05 annual report of the Public Service Commission that was tabled last fall.

In 2004-05, nearly 35,000 people were hired into the public service. Hiring is still predominantly for a contingent work force for a specified period. In Ottawa, the public bureaucracy calls these positions "term." When these positions are referred to in Atlantic Canada or in eastern Quebec, they are called "seasonal," just to make sure that we all understand the terminology here.

The number of new indeterminate permanent hires fell to 9,426 in an organization of 153,000 permanent employees. Of these indeterminate permanent hirings, only 3,400 or 10 per cent, were recruited from outside the public service, the remainder being hired from the specified period — the term pool group.

Let us go to the term pool group. Only 26 per cent of those 35,000 hired as term or casual were from outside the public service. Workers hired from the contingent work force clearly had an advantage in competitions for permanent jobs, having enjoyed privileged access to the workplace and the opportunity to learn about the job and the public service prior to competing for the position.

Managers have met the minimum policy requirements to recruit nationally for all senior level positions but otherwise have opted for provisions to limit competitions by geographic area. This option is used to manage a large number of candidates. As a result, 19 per cent of all externally advertised jobs and 28 per cent in the national capital region use a national area of selection.

Under Bill C-25, managers will have greater discretion over the appointment process. Managers will determine whether or not to advertise positions and how many candidates to consider for a position.

[Translation]

These facts do not take into account other backroom tactics used by managers to undermine the equity and impartiality of the recruitment process, by hiring casual or term employees without holding a competition and by going to various placement agencies or head hunters.

I invite you to consult the very long list of placement agencies in Ottawa's *Yellow Pages*. Managers regularly use the services of many of these agencies to hire employees, thereby getting around existing rules.

Honourable senators, these data provided by the Public Service Commission and the promises that were made to us two years ago so that we would not amend Bill C-25, the Public Service Modernization Act, show how important it is that we pass Bill S-201 quickly.

[Senator Ringuette]

Two years ago, the minister responsible for the Treasury Board received \$40 million to implement Bill C-25, which included funding to update electronic recruitment technology in order to eliminate geographic restrictions on recruitment.

• (1610)

This has not yet been done. As most of us predicted, the increased flexibility that Public Service Modernization Act gives managers allows them to continually impose geographic restrictions or bend the existing rules.

Bending the rules has become easy and even commonplace for them, which is why we need this bill to ensure that all Canadians are respected.

The Public Service Commission's national hiring policy applies to only 19 per cent of jobs in all regions. Fortunately, as of April 1, 2006, 60 per cent of all jobs in the National Capital Region are open to the public.

[English]

Honourable senators, I do understand that opening the hiring process for federal jobs to all Canadians will increase the administrative work of managers, but my scale tips for equity and fairness. The administrative burden should not be a factor in order to respect Canadians' mobility rights under article 6 of our Charter of Rights and Freedoms.

[Translation]

The former minister, Reg Alcock, announced a gradual increase in the percentage in terms of the selection process.

[English]

I welcome this effort. However, two wrongs do not make it right. Let me explain. It is like reverse discrimination. It is not because that, for the last three decades of discrimination based on geographic barriers for the 60 per cent of federal jobs in Ottawa, as parliamentarians and Canadians, we should accept this concept. Reality is that for jobs that are advertised to the public, still 40 per cent of federal jobs across the country will have geographic barriers for all Canadians, including those living in the capital region.

Opening up the 60 per cent federal jobs that are advertised publicly for Ottawa is not opening the access to 100 per cent of federal jobs to all Canadians, which is the priority objective of this bill. We need this bill to legislate equity and fairness to all Canadians in order that a national area of selection is mandatory, not a rule. I repeat that it is mandatory.

I also want to alert honourable senators that out of the 5,000 employees on Parliament Hill, many are permanent employees that are not hired by MPs or senators. They are employees of the House of Commons and the Senate and the necessary units to make this place work. Here, also, we witness discrimination in regard to most of the competitions on the basis of geography. Last September, the Library of Parliament opened competition No. 05F13, closing September 28. This was an indeterminate position for a senior officer, accounting operations, with Finance and Material Services. This was limited to 50 kilometres.

It is ironic how, even within Parliament Hill, with parliamentarians representing the voice of all Canadians, even we allow geographic barriers to employment on the Hill, the centre of our country's democracy. This bill, Bill S-201, does not remove the geographic barriers for employment on Parliament Hill. We, of all places, should not require legislation to include all Canadians. It should be a given here on Parliament Hill, of all places.

I therefore request that senators who are members of any committee dealing with the administration of Parliament officially ban geographic barriers from any competition for employment with and for the administration of Parliament Hill.

After second reading of that bill, the first time around, I wrote to the Speakers of each House calling for their attention on this issue. I regret to say that I have received passive reply.

It is funny that, for decades, successive Canadian governments, the diplomatic core, and all Canadians, have taken great pride in promoting equity and fairness around the world. It is time that we bring equity and fairness right here, at home, for all Canadians living from coast to coast to coast. It is most unfortunate that we must legislate equity and fairness for our own people so that their access to federal government jobs is not curtailed and so that their mobility rights under the Charter of Rights and Freedoms is not undermined by the federal government administration.

The Canadian Charter of Rights and Freedoms mobility rights clearly state, in article 6, that every citizen of Canada and every person who has the status of a permanent resident of Canada has the right to pursue the gaining of livelihood in any province.

[Translation]

Honourable senators, in this age of advanced technology and easy access to rapid communications, why does the government staff public service positions only with candidates who live where the jobs are located?

This might have been justifiable in 1900 or 1910, but not in 2006. Most would agree that competent people who find jobs that match their training and experience, whether in the private or the public sector, are willing to relocate.

For years, the federal government's hiring practices have been subject to geographic restrictions. As a result, 80 per cent of federal officials are from Montreal, Ottawa or Toronto, and they hold 60 per cent of the jobs.

We can imagine the influence that 80 per cent of the public service has on policy and program development. They analyze the issues, formulate recommendations and implement programs based on their communities, their heritage and the knowledge they have acquired in their part of the country.

Parliamentarians and the general public then wonder why the programs do not address regional needs; why the policies and programs are designed with urban communities in mind; why there are so many administrative formalities; why applicants have to speak to a voice mailbox rather than a real person; why public

servants do not understand how natural resource processing industries such as fisheries, forestry and farming work; and why they do not understand the needs of seasonal workers and these industries.

Essentially, many public servants know nothing about the realities of the industries I have just listed. They know only the data they analyse and form hypotheses about.

Residents of rural areas and communities cannot get federal jobs. They therefore feel marginalized and dissatisfied with their central government.

The current process prevents them from taking advantage of opportunities that should be available to them as Canadian taxpayers. The tax man does not care about the place of residence of taxpayers who pay their taxes, and applications from qualified job seekers should not be rejected because of their place of residence, because we are all taxpayers. These geographic restrictions are unacceptable.

[English]

As senators with the responsibility and mandate of this institution, it is our duty to stand for equality of treatment among the population of our diverse regions that compose this country. Today, by presenting this accessibility bill, that is exactly what I am doing. In the new Public Service Modernization Act, ascended in 2003, managers have greater responsibility and flexibility to consider a number of factors when recruiting and selecting a person for a position. This, for me, is a greater cause of concern with regard to limiting national candidates' access and increased concerns about the potential for bureaucratic patronage. I have been constantly hearing about this serious issue for the last 13 years. This problem is also being highlighted by a lack of planning surrounding human resource management. In many departments, this amounts to inefficient staffing practices.

• (1620)

The Public Service Commission 2004-05 Annual Report, chapter 2, page 44, states that only "36 per cent of organizations have a human resources planning process or plan in place." No service organization in the private sector would survive or be able to compete without a minimum of human resource planning. Currently, it seems that managers hire on a whim; no wonder they use the back door to recruit. They, the other 64 per cent of federal departments, have no human resource plans, thus, no idea what are the needs, current or future, of their departments.

The second objective of Bill S-201 is to prohibit geographic patronage or, as the Public Service Commission calls it, "personal favouritism." For many years, parliamentarians have suspected that managers were engaged in patronage appointments. In 2003, the Auditor General, Sheila Fraser, audited the hiring process for student jobs and did find that 25 per cent of students employed for summer jobs within the public service were hired with bureaucratic patronage.

During the hearings of the Standing Senate Committee on National Finance in 2003-04, this issue was raised with Ms. Barrados, President of the Public Service Commission. Thankfully, as a follow-up, the commission studied the issue

and submitted its findings last October in a report entitled *Study of Personal Favouritism and Recruitment within the Federal Public Service*. Here are some interesting data on favouritism from page 11 of that report: First, 45 per cent of survey respondents believe it occurs often or always in their work unit; 28 per cent believe it occurs often; and 45 per cent believe it happens some of the time. Total response shows that 73 per cent acknowledge bureaucratic patronage in the system.

Further, page 14 of the report states:

We note that not all manipulation of qualifications is evident. In our recent audits, we have found examples of tailoring qualifications to favour a particular candidate or group of candidates in both competitions open to the public and those open only to public servants. This included changing education, language and security requirements to match a specific candidate's profile.

Another report tabled last October by the Public Service Commission, entitled *Audit of Staffing File Documentation*, states on page 2, that it found inadequate or missing documentation mostly in the assessment stage and that competitive processes were better documented than without competition processes. The rationale for the use of an appointment without competition was inadequate or missing in 15 per cent of the files; the assessment was inadequate in 38 per cent of the files; and the assessment was inadequate in 66 per cent of the files without competition.

In its 2004-05 annual report, the Public Service Commission reports no political patronage. Bravo and thanks to legislation, not rules or guidelines prohibiting this practice. However, it does link bureaucratic patronage or personal favouritism when analyzing and defining the issue of non-partisanship. At page 34, "bureaucratic patronage" and "personal favouritism" are defined as follows:

Within the federal public service's staffing and recruitment process, personal favouritism involves an inappropriate action or behaviour by a public servant who, by using knowledge, authority or influence, provides an unfair advantage or preferential treatment to: 1) a current employee or 2) a candidate for employment in the public service, for personal gain (benefit) and contrary to the good of the organization.

Most recognize that bureaucratic patronage can have a detrimental effect on the general public and particularly with the public service employees. It has been demonstrated that the mere perception of bureaucratic patronage in the workplace impacts on employee motivation and effectiveness. Imagine the impact when 73 per cent of our public servants surveyed acknowledged that it was happening in their work units.

This situation is not exclusive to Canada. Other jurisdictions have tried to deal with this problem. For example, in the United Kingdom, bureaucratic patronage or favouritism is referred to in the Recruitment Code. It establishes the fundamental recruitment principle that appointments must be based on merit. In New Zealand, this problem is addressed through Policy Conventions.

The Australian model deals with this issue in a more efficient way. Provisions against bureaucratic patronage are made on two levels in Australia. First, a direct provision was made when they modernized the Public Service Act in 1999. Section 17, entitled "Prohibition on patronage and favouritism," provides that a person exercising powers under the new act or regulation in relation to the engagement of Australian Public Service employees, or otherwise in relation to APS employees, must do so without patronage or favouritism. Second, there are provisions against bureaucratic patronage included in the Public Service Commissioner's Directions concerning three of the legislated values.

Australia has not only acted against bureaucratic patronage or favouritism, but it has also given an official legal status that includes a grievance procedure.

Honourable senators, in conclusion, I believe that every competent Canadian should be able to apply for government jobs regardless of their home address and where the job is located in Canada. It is a question of equity, fairness and rights under our Charter of Rights and Freedoms. The current selection process seriously limits job accessibility within the public service to all Canadians and thus deprives all Canadians from better equipped public employees. It is the objective of Bill S-201 to amend the Public Service Employment Act, and the act that will replace it, to enhance Canadians' access to public service jobs in all parts of Canada by removing geographic limits to the selection process and adding grievance options against bureaucratic patronage.

I have received calls, letters and emails from Canadians across this country in support of this proposed legislation. For example, we could be talking about an ex-military person living in Halifax, Nova Scotia, who wants to apply for a job in Moncton, New Brunswick, but the 50-kilometre barrier prevents him from doing so.

I, like all Canadians, hope that honourable senators will support this bill and not accept any delay tactics or rules and guidelines that might be proposed. If the Leader of the Government also wants to use delay tactics on this bill that calls on fairness and equity for all Canadians, then we will know where they stand.

• (1630)

I propose that this bill be sent today for further study to the Standing Senate Committee on National Finance.

I thank honourable senators for their attention.

On motion of Senator Comeau, debate adjourned.

BUSINESS OF THE SENATE

The Hon. the Speaker *pro tempore*: Honourable senators, before we go any further, I believe you have witnessed how disturbing these BlackBerry's are. To make it safe, just leave them in your offices. I will tell the Speaker to apply this rule very strictly. It is not fair to our colleagues who are giving a speech.

Hon. Senators: Hear, hear.

THE SENATE

NOTICE OF MOTION TO STRIKE SPECIAL
COMMITTEE ON ANTI-TERRORISM ACT

The Hon. the Speaker *pro tempore*: Honourable senators, earlier today, Senator Comeau gave notice of motion that, at the next sitting, he will move a motion establishing a special committee to review the Anti-terrorism Act. However, pursuant to rules 57(1)(c) and (d), this motion requires two days' notice.

Is it agreed that this motion be moved two days hence?

Hon. Senators: Agreed.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO STUDY
STATE OF HEALTH CARE SYSTEM

On the Order:

Resuming debate on the motion of the Honourable Senator Keon, seconded by the Honourable Senator Stratton:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on issues arising from, and developments since, the tabling of its final report on the state of the health care system in Canada in October 2002. In particular, the Committee shall be authorized to examine issues concerning mental health and mental illness;

That the papers and evidence received and taken by the Committee on the study of mental health and mental illness in Canada in the Thirty-seventh and Thirty-eighth Parliaments be referred to the Committee;

That the Committee submit its final report no later than June 30, 2006 and that the Committee retain all powers necessary to publicize the findings of the Committee until September 30, 2006; and

That the Committee be permitted, notwithstanding usual practices, to deposit any report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.—(*Honourable Senator Keon*)

Hon. Wilbert J. Keon: Honourable senators, I move adoption of the motion standing in my name.

The Hon. the Speaker *pro tempore*: Are senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker *pro tempore*: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

HEALTH

MOTION URGING GOVERNMENT TO PROVIDE
LONG-TERM END-OF-LIFE CARE—
DEBATE ADJOURNED

Hon. Sharon Carstairs, pursuant to notice of April 5, 2006, moved:

That

Whereas the federal government has a leadership and coordination role, and a direct service delivery role for certain populations, with regards to palliative and end-of-life care in Canada;

And Whereas only 15 per cent of Canadians have access to integrated, palliative and end-of-life care;

Be It Resolved That the Senate of Canada urge the Government to provide long-term, sustainable funding for the further development of a Canadian Strategy on Palliative and End-of-Life Care which is cross-departmental and cross-jurisdictional, and meets the needs of Canadians; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

She said: Honourable senators, according to Statistics Canada, in 2001, one in eight Canadians was 65 years of age or older. By 2026, one in five Canadians will be 65 years of age or older, accounting for 8 million Canadians. As baby boomers age, the senior population is expected to constitute 23 per cent of the population by the year 2041.

Our annual number of deaths in Canada is approximately 220,000. This number is expected to rise significantly over the next 40 years until the demographic wave of the baby boom has disappeared. By the year 2020, it is estimated that there will be a 40 per cent increase in deaths each year in Canada.

Canadians are becoming increasingly aware of palliative care as an end-of-life care model for all ages, including children, and are demanding it. Polls show that in 1997, only 30 per cent of Canadians were familiar with palliative care, but a poll conducted in December 2003, just six years later, showed that 75 per cent of Canadians were familiar with palliative care, and 25 per cent of those surveyed reported that they or someone in their family had used hospice palliative care services.

The aim of care focussed on dying individuals is to achieve the best possible quality of life for both the person who is dying and for their family by addressing their physical, psychological, social, spiritual and practical expectations and needs. Patients of all ages suffering from all life-threatening illnesses can benefit from access to hospice palliative and end-of-life care.

However, most Canadians do not have access to quality end-of-life care. Although there are more than 700 hospice palliative care programs listed by the Canadian Hospice Palliative Care Association on their website, most of those working in the field still estimate that approximately 15 to 25 per cent of

Canadians have access to hospice palliative care. According to a recent project funded by the Canadian Institutes for Health Research, that figure falls to 3.3 per cent if you are dealing with a child who is dying.

Honourable senators, health care is an issue that crosses the jurisdictional boundaries between the provincial and the federal governments. The federal government, through the Department of Health Canada, provides funding for the national health insurance system, develops health policy and enforces regulations. The 10 provincial and three territorial governments implement national health policies and oversee direct health care delivery. Most provinces and territories have further decentralized health care responsibility to regional health authorities. These jurisdictions in some cases have integrated palliative care into their health care programs but to varying degrees. The four western provinces, for example, have designated palliative care as a core service of the provincial health care program with a separate budget line; the remaining six provinces and the three territories have not.

Although the provinces are responsible for direct service delivery, a number of federal departments have a direct service delivery role to certain populations within Canada. For example, Health Canada's First Nations and Inuit Health Branch supports the delivery of health services on-reserve and in Inuit communities. Veterans Affairs Canada is responsible for delivering pensions, health care and social and economic support for war veterans and Canadian Forces veterans. National Defence Canada is responsible for the delivery of health care services to members of the Canadian Forces. The Department of Public Safety and Emergency Preparedness is responsible for the Royal Canadian Mounted Police, our national police force, and has responsibility for delivering health care services to its members. Citizenship and Immigration Canada administers the Interim Federal Health Program to cover emergency and essential health services for needy refugee claimants and those refugees not yet eligible for provincial health coverage. Finally, Correctional Services Canada is responsible for providing in-house health services for inmates in federal institutions.

It may come as a shock to many of you in this chamber, but in fact Canada as a federal government ranks fourth in the actual delivery of services to Canadians after three of our large provinces.

Health care policy and delivery in Canada is multi-jurisdictional, yet the federal government does have an important role to play in direct service delivery to certain populations: in income support to care givers and in coordinating and providing leadership on a pan-Canadian approach to palliative and end-of-life care.

In June 2002, Health Canada adopted a Canadian Strategy on Palliative and End-of-life Care with five priorities: best practices, research, public information and awareness, surveillance, and education for professional health care providers. This pan-Canadian strategy had three components: federal government departments, provincial and territorial

governments, and the community. Community working groups were formed for each priority. The working groups have provided excellent opportunities for networking, building cooperative partnerships and sharing best practices. These working groups have physicians, nurses, pharmacists, researchers, chaplains and volunteers among their members.

• (1640)

I will cite a few of the highlights of the work that they are doing. The Best Practices and Quality Care Working Group has been working with the Canadian Council on Health Care Services Accreditation to influence hospice palliative care accreditation across Canada and standards for hospice palliative care, and all existing accreditation programs will be in place this year.

The Education for Formal Caregivers Working Group established core discipline competencies for formal caregivers and has been able to secure \$1.25 million over five years to develop palliative and end-of-life training for all undergraduate students at Canada's 17 medical schools.

The Public Information and Awareness Working Group has completed two phases of a three-phase project to develop a framework for a national public-awareness-raising initiative on palliative and end-of-life care.

The Surveillance Working Group has completed a study and pilot project to develop a core data set and method for data collection to provide a baseline and comparative data for surveillance purposes at all levels of governance.

The Research Working Group has established a business plan to support the creation of a palliative care research infrastructure in Canada. This infrastructure would provide support, interaction and application of research findings to improve practices, education and policy. The Research Working Group has also partnered with the Canadian Institutes of Health Research in the development of a strategic initiative for palliative care research worth \$16.5 million over five years.

The federal component of the strategy has not been as well developed as the community component. The federal component was envisaged as a cross-departmental approach to end-of-life care in recognition of the federal government's role in service delivery to certain populations in addition to its leadership and coordination role at the national level. A federal interdepartmental working group was created which met inconsistently and was largely a vehicle for sharing information between different federal government departments with an interest in end-of-life care. In addition, the provincial-territorial component of the strategy was not proceeded with due to the work of the Romanow commission and the subsequent work on the 2003 and 2004 health accords.

However, despite the incomplete implementation of the Canadian Strategy on Palliative and End-of-Life Care, there have been a number of significant achievements in palliative and end-of-life care in Canada in the past five years.

The federal government funded the first ever Canadian research on palliative care at the University of Manitoba. The compassionate care benefits, an initiative of Human Resources Skills Development Canada under the federal Employment Insurance program, provides up to six weeks of paid leave from work for a person to care for a terminally ill parent, spouse or child. The Canadian Virtual Hospice, funded largely by Industry Canada, has created a virtual hospice on the Web which can be accessed by health care professionals and patients alike. Veterans Affairs Canada has created a set of guidelines for palliative care for veterans. Correctional Service Canada has done some pioneering work creating palliative care programs for those serving life sentences in federal correctional institutions, and the 2004 Health Action Plan agreed to by the federal government and all the provinces and territories promised \$41 billion in additional federal money for health care over the next 10 years. Under this plan, provinces have agreed to provide, by the end of this year, first-dollar coverage based on assessed need for a base level of home palliative care services including case management, nursing, palliative-care-specific pharmaceuticals and personal care at the end of life.

Despite these accomplishments — and there have been many — we are still not able to offer quality palliative and end-of-life care to all Canadians. The current strategy has been chronically under-funded, has been incompletely implemented and has, therefore, fallen short of its objectives. Let me assure honourable senators opposite that I tabled exactly the same material in the previous session of Parliament against the previous government, so I have taken no sides on this. The reality is that we are not doing enough in this field and regardless of which government is in power I will continue to lobby in any way I can in order to achieve better results for dying Canadians.

There is a need, honourable senators, for sustainable, secure funding, for a fully-developed and implemented national strategy on end-of-life care. There is a need to standardize greater access to quality end-of-life care across the country. There is a need for ongoing education and training of health care professionals. There is a need for continued research and its dissemination, including socio-economic research and development and dissemination of best practices. There is a need for support for family caregivers who are assuming a greater proportion of the responsibility for health care as more care is delivered in the home and community. There is a need to inform patients and caregivers of supports and services available to them. There is a need for coordination and support across care settings as patients move from home to hospital to long-term care facilities and to hospices.

Honourable senators, there is a need for the federal government to further develop and adequately fund the Canadian strategy on palliative and end-of-life care in a way that is cross-departmental and meets the needs of Canadians.

That is why, honourable senators, I put this motion before you. I hope that we can concur with this motion with some speed and thereby send a message to the House of Commons asking them to unite with us and ensure that this be done so that Canadians who are dying can be assured of the quality of service they deserve.

On motion of Senator Comeau, debate adjourned.

THE SENATE

MOTION TO TELEVISION PROCEEDINGS— DEBATE ADJOURNED

Hon. Hugh Segal, pursuant to notice of April 5, 2006, moved:

That whenever the Senate is sitting, the proceedings of the upper chamber, like those of the lower one, be televised, or otherwise audio-visually recorded, so that those proceedings can be carried live or replayed on CPAC, or any other television station, at times that are convenient for Canadians.

He said: Honourable senators, on April 5 I rose in this chamber to put forward a notice of a motion that proceedings in this place be televised, making the work we do here available to Canadians should they choose to view it. I am delighted to rise today to move that motion, seconded by the Honourable Senator Tkachuk, and to speak to my intent and hopes on this matter.

Some in the media have suggested that the call for abolition of this place will reach a towering crescendo once our proceedings are available for interested viewers. While I sincerely doubt that, the notion that we might combat abolition of this place by hiding our proceedings from daily radio and visual scrutiny strikes me as utterly inappropriate. Our collective duty in this place is not exclusively to the continuation of this institution in its present form, but also to the service we render to Canadians from coast to coast.

As taxpayers and citizens, Canadians have the right to view our proceedings and come to their own conclusions on the value of them as they deem fit. If, on the basis of what they see and hear, they choose to elect federal or provincial governments with strong views on the future of this institution, whether for reform of this institution or for support of the status quo, that is their absolute right. Our job, it seems to me, is to facilitate a well-informed public.

In 1983, the British House of Lords, with a similar appointment structure to that of our Senate, voted overwhelmingly in favour of televising their sessions. Lord Soames, the mover of the motion, stated emphatically that the public had the right to see the lords, warts and all, especially at a time when the backdrop mood of the country was for the abolition or the reformation of the House of Lords.

• (1650)

The House of Commons of the time was still resistant to the notion of televising its proceedings in the United Kingdom, using the excuse that members might play to the camera. Lord Soames, in his wisdom, pointed out that the debates in the upper chamber were often of a higher standard, delivered by people with years of insight, experience and the ability to turn a phrase. He understood the value of using technology as a source of education and edification. He did not underestimate the intelligence of the people of the United Kingdom. That was more than two decades ago.

This is now 2006. Canadians use technology as their source of information, communication and research. Technology affects all aspects of their lives and dictates their views on all matters

deemed newsworthy. Proponents on all sides of the debate as to the future of this place, whether it be abolition, reform or maintaining the status quo, cannot argue that transparency as to its daily business is somehow counterproductive.

I would hazard a guess that some of the best reasons likely to be put forward against televising or broadcasting via Internet the sessions in this chamber are indeed some of the best reasons in favour of the same. It might be argued, for example, that the work done here is complicated. The viewing public may believe, as we know not to be the case, that proposed legislation makes its way to this chamber but that any debate on its substance or merit is mere formality. We know that is not the case. The recommendations and changes that honourable senators put forward in discussions held here and in committee have had genuine and portentous substance and impact on the government of the day and are often definitive with respect to outcomes. The public should have the right, at their convenience, to be privy to these debates. Assuming that Canadians neither care nor will understand the complexities of the legislative process is the height of condescension. Canadians may or may not wish to view what we are doing in this place, but that is up to them. I suggest that it is our duty to give them that choice.

[Translation]

Over 20 years ago, Lord Soames and an overwhelming majority of the House of Lords realized the sheer folly of being condescending towards the public.

The time has come, honourable senators on both sides of this chamber and honourable independent senators, to resolutely enter the era of television and to acknowledge that perhaps Canadians are truly interested in the legislative process which may eventually make a difference and greatly influence their lives.

The Australian Senate also broadcasts its question periods, and at least three of these must be televised in each two-week session.

The House of Lords and the Australian Senate have used radio and television, not only as a means of providing information to the public, but also to inform their citizens about issues pertinent to them.

[English]

The Australian Senate began broadcasting on television in August of 1990 according to the provisions of the Australian Broadcasting Act and its programming is carried on the Australian Broadcasting Corporation television network. The costs associated with the broadcast are borne by the corporation as part of its programming budget. However, in the spirit of political restraint, Australia's joint committee on the broadcasting of parliamentary proceedings does insist on maintaining continuity and receiving guarantees that material will not be used for the purpose of satire or ridicule.

According to the Museum of Broadcast Communications, at present some 60 sovereign states provide television coverage of parliamentary bodies, including upper chambers. Among them are countries as diverse as Australia, Germany, Japan, Hungary, Bulgaria, Russia, China, Denmark and Egypt. In Canada, the Cable Public Affairs Channel is the only network that provides Canadians with continuous live coverage of the proceedings of the

House of Commons whenever the House is in session. Committee meetings in this place are also covered by that network. The call to televise Question Period and debates in this chamber is simply a logical progression toward the inevitable.

There is no fathomable reason why Canadians cannot be privy to the thoughtful debates and discussions in which we engage. Perhaps by allowing the public a front-row seat to the debates and discussions, we can do more to inform our fellow Canadians on the deeper detailed inquiry role this chamber plays at its best. I am told by many who observed the debates on same-sex marriage before my arrival in this place that they were of a breadth and tone that contributed strongly to the overall parliamentary and national consideration of the issue at hand.

I am attracted, honourable senators, to the wisdom of Lord Soames. I have personally been witness, despite my short time amongst you, to thoughtful, incisive and dynamic exchanges and debates on issues that run to the core of who we are as Canadians by members present. Allowing these exchanges at their best, and on occasion at their worst, to be seen and heard by the Canadian people is not an encumbrance or a threat. Rather, it is duty for us to allow fellow Canadians to sit in on our discussions and to make their own determinations of us.

The future of this institution and how it may evolve and change over time is ultimately in the hands of the Prime Minister, the premiers, the respective elected legislative bodies and this body, whose concurrence is required by the Constitution for changes to be made. That, while of interest to us, should not concern us in any way on the matter of televising our proceedings.

I know that every senator shares a common resolve to serve Canada, the interests of Canadians, both at home and abroad, to the best of our ability and within the constitutional role determined for this upper chamber. I submit to honourable senators with humility, respect, and affection that giving Canadians who wish to do so the chance to easily view our proceedings is totally consistent with that common resolve.

Hon. Sharon Carstairs: Honourable senators, may I ask the honourable senator a question?

The Hon. the Speaker *pro tempore*: Would you accept a question?

Senator Segal: Of course.

Senator Carstairs: By custom and tradition in this chamber, generally a motion like this, which would have an impact on the *Rules of the Senate*, would be sent to the Standing Committee on Rules, Procedures and the Rights of Parliament.

Would the honourable senator have any objection to that motion being moved, so that the committee could study whether this was in the best interests of the Senate?

Senator Segal: I defer to the more experienced judgment of honourable senators, but it strikes me that, if there is a will on the part of the Senate that the matter proceed, we should find a way for that to be expressed. The Rules Committee and the Standing Committee on Internal Economy, Budgets and Administration

might then be asked to look at the best way to proceed both in terms of cost and in terms of the articulation of the specifics. If there is no will amongst our colleagues to proceed, why would we bother the Rules Committee or, for that matter, the Standing Committee on Internal Economy, Budgets and Administration, if our colleagues are not of the will we should proceed in any respect in this direction?

Senator Carstairs: I am not suggesting that such a motion be moved today — because I think it is premature. We need to hear from honourable senators with respect to how they feel about that. However, by its nature, the same interaction about the pros and cons will not take place here as in the Rules Committee. Hence, at the appropriate time, I may well make that motion, but I will put on the record right now that I happen to favour television within this chamber. Having said that, I still favour this matter going to the committee that I mentioned.

Hon. Tommy Banks: I have two questions for the honourable senator, if I may.

The subject the senator has raised is one that has been raised here and has been mooted before. Some of us are less photogenic than Senator Segal and as such may not be so avidly in favour of his proposal.

First, would the honourable senator have thought or determined any aspect of what the cost might be, given the cost of the physical equipment, the personnel required to operate, edit and, one assumes, direct such broadcasts?

Second, while I agree with what the honourable senator said, which was very complimentary to the tone and level of debate in this place, there is no denying — and the honourable senator would know this better than I — the difference between the nature of debate in the other place before its being televised and the nature of that debate now. It is quite different. You mentioned the concept of playing to the cameras. I think it is not unfair, without wishing to be unduly critical of our colleagues down the hall, to say that in some respects the whole place seems sometimes to be playing to the cameras in respect of doing things that are entirely cosmetic and theatrical. I guess we should look at the best side of ourselves and assume that we would never resort — without saying stoop — to such things. Has that caused the honourable senator any concerns?

• (1700)

There are two questions: First, has the honourable senator thought about the cost? Second, is he devoid of concern about our falling into that theatrical trap?

Senator Segal: I am sensitive to the fact that table officers and those who serve the Senate and who are concerned about the management of this chamber's costs would be diligent and prudent in the advice and counsel they would offer. It would have

been my view not to bother them with that analysis unless we had some view from colleagues in this place as to whether they wished to proceed at all. If they did wish to proceed, then it strikes me that both in terms of the cost basis in the other place and what the House of Lords and others have done, there are easy examples upon which to construct a financial template so we would have — senators would have, and Internal Economy would have — absolute clarity as to what the costs would be.

Technology has also changed the nature of what constitutes the diffusion of a signal from the days when it began in the House of Commons to what is now available over the Internet in ways that are more economical. Should the Senate choose to proceed, that should provide some options on the financial side which did not exist when the work began in the other place so many years ago.

I think it is accurate to point out that historically, the first government to be re-elected since the advent of the televising of Parliament was the second Mulroney administration of 1988; every other government was defeated. To some extent, I think you are right to suggest that the impact upon the public perception of the democratic process as played out in the other place was not helped by the advent of television.

That being said, what transpires does transpire and the notion that either in the other place or here, the mere denial of a television signal would change the perception of politics or somehow embellish seems difficult to justify.

I would also make the case — and I say this as an absolute novice in this place who has so much to learn from everyone in the chamber — that the nature of the debate in this place is qualitatively different precisely because under our present structure individuals here do not face election on a regular basis. It is precisely because this chamber does not have the constitutional authority to move confidence or nonconfidence and because there are other legitimate constitutional constraints because of the provenance of this second chamber, that produces a quality of debate and engagement with which many Canadians would be —

Senator Banks: Surprised.

Senator Segal: Perhaps surprised, but certainly I think they would find it more edifying than is sometimes the case in other circumstances. I would like to think that colleagues, upon due consideration, would conclude that it would be something worth trying on the people of Canada. In the end, it is for them that we try to do our best.

On motion of Senator Fraser, debate adjourned.

The Senate adjourned until Wednesday, April 26, 2006, at 1:30 p.m.

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CANADA

Debates of the Senate

1st SESSION

•

39th PARLIAMENT

•

VOLUME 143

•

NUMBER 6

OFFICIAL REPORT
(HANSARD)

Wednesday, April 26, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER



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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Wednesday, April 26, 2006

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

**THE LATE CORPORAL MATTHEW DINNING
THE LATE BOMBARDIER MYLES MANSELL
THE LATE LIEUTENANT WILLIAM TURNER
THE LATE CORPORAL RANDY PAYNE**

SILENT TRIBUTE

The Hon. the Speaker: I would ask honourable senators to rise and observe one minute of silence in memory of Corporal Matthew Dinning, Bombardier Myles Mansell, Lieutenant William Turner and Corporal Randy Payne, whose tragic deaths occurred this past weekend while serving their country in Afghanistan.

Honourable senators then stood in silent tribute.

VISITORS IN THE GALLERY

The Hon. the Speaker: I draw the attention of honourable senators to the presence in the gallery of a group of students from Upper Canada College. They are accompanied by faculty members Tim Meikle and Roger Marino.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

As well, I draw the attention of honourable senators to the presence in the gallery of Mr. David Smith and his wife, Darlene. They are guests of the Honourable Senator Hubley. On behalf of all honourable senators, I welcome you to the Senate of Canada.

• (1340)

[English]

SENATORS' STATEMENTS

WORLD INTELLECTUAL PROPERTY DAY

Hon. Joseph A. Day: Honourable senators, I would like to begin my statement today with a question: What do Yousuf Karsh, Bill Gates, Walt Disney and Oscar Peterson have in common? The answer is: an appreciation for the value of intellectual property.

Today, honourable senators, is World Intellectual Property Day. Intellectual property is that nonphysical, intangible right that one has for his or her creativity, for inventions. We often take

for granted the value of new ideas and life-saving technologies, the pleasure that we derive from music and designs, and the labour-saving inventions that flow from the ideas of others.

Honourable senators, the importance of intellectual property was displayed in the World Trade Organization Uruguay Round of discussions with respect to trade-related intellectual property matters called TRIPS. In Canada, we have the Canadian Intellectual Property Office, where inventors or creators go to obtain and perfect their rights. In addition, there is a professional organization known as the Intellectual Property Institute of Canada, which, this year, is celebrating its eightieth anniversary. Honourable senators are invited to a reception this afternoon from 5 p.m. to 7 p.m. in room 256-S to help celebrate this anniversary, to learn more about intellectual property and to meet with some of the senior officials from the Canadian Intellectual Property Office, as well as professionals who work in the field.

THE LATE HONOURABLE IAN SINCLAIR, O.C., Q.C.

Hon. Anne C. Cools: Honourable senators, I would like to pay tribute today on behalf of the Conservative caucus to the late Honourable Senator Ian Sinclair, who passed away on April 7 at the age of 93. I was thinking about Senator Sinclair just a few weeks ago, and I worried that perhaps he passed away and I had not been informed.

I shared a distinct honour with Senator Sinclair in that, though he was appointed to the Senate a few weeks ahead of me, we were sworn in on the same day in January 1984, as were Senator Grafstein and other senators. At that time, I remarked to myself that a great corporate baron was being sworn in at the same time I was. Interestingly enough, he was born a mere thirty years before I was. At the time, I found that strangely amusing.

Honourable senators, Senator Sinclair was a mighty man. My service on a committee with him was an amazing cognitive experience. I had the opportunity to serve with him during the privatization of Air Canada when he was the Chairman of the Senate Banking Committee. For me, the experience was stupendous in that this man, as chairman, was one of the foremost authorities on transportation in the country. It brought much comfort and knowledge to me that he, this knowledgeable corporate titan, was serving as chairman of the committee. I borrowed the term "titan" from *The Globe and Mail*, which once described him as the "last of the railway titans."

Honourable senators, I should like to close by saying that Senator Sinclair was the embodiment of a type that seems to have passed. He was many things. He was trained as a lawyer, trained in economics and was a veteran of the war. On many occasions I had the wonderful experience to listen to this former President and CEO of Canadian Pacific Railway speak about many different questions here in this chamber.

When a man passes on at age 93, it is a somewhat different event. In honour of this mighty man, this man who served with us here in the Senate for approximately four years, who may have been one of the highest paid corporate executives in the country, on behalf of all Conservative senators, I will read from Revelations, chapter 21, verses 3 and 4:

3 And I heard a great voice out of the Heaven, saying, Behold, the tabernacle of God is with men, and he will dwell with them, and they shall be his people, and God himself shall be with them, *and be* their God.

4 And God shall wipe away all tears from their eyes; and there shall be no more death, neither sorrow, nor crying, neither shall there be any more pain: for the former things are passed away.

Honourable senators, Ian Sinclair's earthly journey is over. His pilgrimage is done. He has run his course. Yet again, we see that another colleague has gone.

Having said that, honourable senators, I send my condolences and warmest wishes to his family and friends still remaining.

Hon. Jeremiah S. Grafstein: Honourable senators, I, too, would like to rise in tribute to the late Ian Sinclair. He had been appointed just before I arrived in the Senate, and we were sworn in at the same time. We should not look back too far, but in those days, this chamber was populated with premiers from every region. Outstanding academics, outstanding legal and medical experts were here. None was greater in this chamber than Ian Sinclair, who was able to become a master of many disciplines. He was a master lawyer, a master when it came to regulations and administration, a master when it came to economics and a master of business. Above all, we saw him in the Senate as a master senator.

Shortly after I was appointed, Ian called me to his office. His office was spotless and his desk was clean. He had two piles on his desk. I was quite curious, first of all, curious to be invited to his office, although we were friends, and became closer friends while we were here. I was also curious about these two piles. One pile was bills from the House of Commons and the other pile was bills that were in progress in the Senate. I could see that the bill in front of him had been marked up.

Ian sat behind this massive desk, and he was a massive man himself. He looked up and said, "We have one problem in the Senate." I said, "Ian, what would that be?" He said, "Senators do not read. The House of Commons is bad, but we are equally bad. We do not read. We do not read our legislation. We are called upon to vote, but many times, when we have a debate, either in committee or in the chamber, it is obvious that many senators have not read their material." He said, "My one word of advice to you as a senator is to read. If you do read that legislation, you will be surprised about what is in that legislation, and you will be surprised about the mistakes that the other place has overlooked." I felt that was good and thoughtful advice. This advice was passed on to me, and I pass it on to new senators.

One final word about Ian. He was a man among men. He was a great titan of business. He was a superb lawyer. He was a great Canadian, and his talents, which were truly multi-faceted, will be sorely missed. To his children and to his grandchildren who proudly bear his name, our hearts go out to him. We hope to see his talents again, but I am doubtful. Nothing has been so combined in one man as these many talents and his great humility and love of this country. He will be missed.

CHORNOBYL NUCLEAR POWER PLANT EXPLOSION

TWENTIETH ANNIVERSARY

Hon. A. Raynell Andreychuk: Honourable senators, exactly 20 years ago today, in the early morning of April 26, 1986, a safety test error at the Chornobyl nuclear power plant in Pripjat, Ukraine, caused reactor No. 4 to explode. The resulting fire raged out of control for 10 days, sending a thick plume of radiation across Ukraine, Belarus and northern Europe. Traces of radioactivity eventually spread throughout the northern hemisphere, changing the lives of millions of people forever, yet the Minister of Power for the Ukraine Soviet Socialist Republic had stated in February 1986:

The odds of a meltdown are one in ten thousand years. The plants have safe and reliable controls that are protected from any breakdown with three safety systems.

Yet, it happened on April 26, 1986. Immediately, firefighters and others sacrificed their lives to put out the fire, to clean up the contaminated soil and to pour a concrete sarcophagus over the damaged reactor. Chornobyl and its neighbouring settlements were evacuated and a permanent 30-kilometre exclusion zone was established around the plant.

• (1350)

Over the ensuing years, the number of illnesses and deaths attributed to Chornobyl has been estimated at reaching or exceeding one million. The Soviet authorities at first denied this disaster, and we will never know the untold harm created by this silence and the lack of concern for citizens above political expediency.

When I think of Chornobyl, I think of children, children who have been orphaned as a result of this tragedy or children who suffer health issues yet to be fully understood. What is known is that many children suffered and continue to suffer from radiation fallout, especially cancer of the thyroid.

It is troublesome to note that the risks still exist, that the hastily constructed sarcophagus could collapse, releasing further radioactive dust into the atmosphere.

Honourable senators, while Ukraine and its neighbours suffered the brunt of this disaster, it is a world responsibility to ensure that we continue to raise awareness about the Chornobyl disaster, that we continue to support the direct victims of the disaster and that we ensure that the world does not suffer another Chornobyl.

Ukraine, as it struggles to create a full and vibrant democracy, requires Canada's attention and involvement. I honour those Canadians who have responded by dedicating their resources, homes and compassion for the children of Chernobyl, as I laud also the Canadian government's commitment of \$8 million, bringing the total commitment for Chernobyl-related projects to \$66.2 million.

Therefore, honourable senators, I urge you to be present this evening on Parliament Hill, at six o'clock, to participate in the commemorative program for the twentieth anniversary of Chernobyl undertaken by various organizations that continue to work with dedication with the children of Chernobyl and the citizens of the Ukraine and that also work to ensure that the Chernobyl disaster does not repeat.

MR. DAVID SMITH, O.C.

Hon. Elizabeth Hubley: Honourable senators, it is my great pleasure and honour to bring to your attention the life achievements and contributions of a truly remarkable Canadian. In this world, there are both takers and givers — those who pursue their own career goals and aspirations with little involvement in the larger community around them and those who see beyond their own circumstances, the people who reach out to others in an effort to make their neighbourhoods and communities stronger and healthier places.

Honourable senators, Mr. David Smith is a giver. Known affectionately as "Mr. Ottawa," his entire life is a testament to humanitarianism, social activism and great personal commitment to others.

David's "can-do" attitude and innovative solutions to difficult social problems is legendary, especially in the areas of addictions and education. One of his proudest achievements is the establishment of the David Smith Centre, a youth, drug and alcoholic treatment facility in Ottawa, the first of its kind in the capital region to address the treatment and rehabilitation of young people between the ages of 13 and 18. David was also one of the first private individuals to publicly address the hopelessness and sense of defeat facing the young people of Davis Inlet, with the establishment of a drug-alcohol treatment program in that northern community. In addition, he conceptualized and launched SONG, Save Our Native Grandchildren, a national fundraising initiative to build a \$2.2 million multi-purpose sports facility for Davis Inlet.

Closer to home, he pioneered a life skills and jobs training program for youth that has been adapted by other countries — South Africa and Afghanistan, for example. Through his immense energy and public dedication, David Smith has helped raise an estimated \$100 million for volunteer organizations in Canada and elsewhere.

Honourable senators, I first met this great Canadian four years ago, when he offered to help with the catering to our inaugural Senators Against Landmines fundraising dinner. True to character, David recognized a worthwhile humanitarian mission and pitched in enthusiastically.

[Senator Andreychuk]

Honourable senators, there is much more that could be said about this distinguished businessman and philanthropist. Certainly, the David Smith story is an ongoing one. However, I know that you will join with me in recognizing and paying tribute to his selfless work on behalf of others — Mr. Ottawa, larger than life, generous of spirit, a man who has demonstrated the power of individual action and social commitment.

Hon. Senators: Hear, hear!

ROUTINE PROCEEDINGS

AGRICULTURE AND FORESTRY

REPORT PURSUANT TO RULE 104 TABLED

Hon. Joyce Fairbairn: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Agriculture and Forestry, a report that deals with the expenses incurred by the committee during the Third Session of the Thirty-seventh Parliament.

(*For text of report, see today's Journals of the Senate, p. 53.*)

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

REPORT PURSUANT TO RULE 104 TABLED

Hon. Tommy Banks: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Energy, the Environment and Natural Resources, a report that deals with the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(*For text of report, see today's Journals of the Senate, p. 54.*)

[Translation]

THE ESTIMATES, 2006-07

NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY MAIN ESTIMATES

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that later this day, I will move:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Estimates for the fiscal year ending March 31, 2007, with the exception of Parliament vote 10.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY THE CANADIAN ENVIRONMENTAL PROTECTION ACT

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that during the next sitting of the Senate, I will move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to undertake a review of the *Canadian Environmental Protection Act* (1999, c. 33) pursuant to Section 343(1) of the said Act; and

That the committee submit its final report no later than October 2, 2006.

[English]

INCOME TAX ACT

BILL TO AMEND—FIRST READING

Hon. Jack Austin presented Bill S-212, to amend the Income Tax Act (tax relief).

Some Hon. Senators: Hear, hear!

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

An Hon. Senator: Now.

Senator Austin: With leave, tomorrow.

The Hon. the Speaker: Honourable senators, is leave granted?

Some Hon. Senators: No!

The Hon. the Speaker: Honourable Senator Austin, leave is not granted.

• (1400)

Senator Austin: Honourable senators, given that the budget address has now been scheduled for May 2, I believe it would be in the public interest for the Minister of Finance to hear the arguments to continue the income tax reductions that were introduced by a ways and means motion last fall. I would ask honourable senators to consider that that is in the interest of public policy.

If the Minister of Finance would take into account the provisions of this bill in his budget address, I would be pleased to withdraw it.

The Hon. the Speaker: Honourable senators, leave was requested and denied, as heard by the chair. Therefore, I will put the question.

When shall this bill be read the second time?

Senator Austin: Honourable senators, given that the government side does not see the value of my presentation, I move that the bill be placed on the Orders of the Day for consideration tomorrow.

The Hon. the Speaker: Honourable senators, that also requires unanimous consent. The rules provide that bills are placed on the Order Paper for second reading consideration two days hence. Therefore, unless the chair hears a motion, having asked when the bill shall be read a second time, I will take it that it is not to be read a second time. I need to hear a motion.

Senator Austin: In view of the comments of the Honourable Speaker, I will withdraw my motion. Is there unanimous consent for that?

The Hon. the Speaker: The motion is withdrawn.

Senator Austin: I move that the bill be placed on the Orders of the Day for second reading two days hence.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

On motion of Senator Austin, bill placed on the Orders of the Day for second reading two days hence.

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. John G. Bryden presented Bill S-213, an act to amend the Criminal Code (cruelty to animals).

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Bryden, bill placed on the Orders of the Day for second reading two days hence.

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

PARLIAMENTARY MISSION AND FOURTH PART OF 2005 ORDINARY SESSION OF PARLIAMENTARY ASSEMBLY OF COUNCIL OF EUROPE, SEPTEMBER 29 TO OCTOBER 7, 2005—REPORT TABLED

Hon. Lorna Milne: Honourable senators, pursuant to rule 23(6) I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association respecting its participation in the Parliamentary Mission to the Country that will hold the next European Union

Presidency held in Vienna, Austria from September 29 to 30, 2005 and to the Fourth Part of the 2005 Ordinary Session of the Parliamentary Assembly of the Council of Europe held in Strasbourg, France from October 3 to 7, 2005.

MEETING OF POLITICAL AFFAIRS COMMITTEE
OF PARLIAMENTARY ASSEMBLY OF COUNCIL
OF EUROPE, OCTOBER 23-26, 2005—REPORT TABLED

Hon. Lorna Milne: Honourable senators, pursuant to rule 23(6) I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association respecting its participation in the Meeting of the Political Affairs Committee of the Parliamentary Assembly of the Council of Europe held in Ottawa, Canada from October 23 to 26, 2005.

ECONOMIC AFFAIRS AND DEVELOPMENT
COMMITTEE MEETING AND FIRST PART OF 2006
ORDINARY SESSION OF PARLIAMENTARY ASSEMBLY,
JANUARY 19-27, 2006—REPORT TABLED

Hon. Lorna Milne: Honourable senators, pursuant to rule 23(6) I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association respecting its participation in the meeting of the Committee on Economic Affairs and Development held in London, United Kingdom from January 19 to 20, 2006 and to the First Part of the 2006 Ordinary Session of the Parliamentary Assembly of the Council of Europe held in Strasbourg, France from January 23 to 27, 2006.

AGRICULTURE AND FORESTRY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO CONTINUE STUDY ON PRESENT STATE AND
FUTURE OF AGRICULTURE AND FORESTRY

Hon. Joyce Fairbairn: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(a), I give notice that later this day, I will move:

That the Standing Senate Committee on Agriculture and Forestry be authorized to hear from time to time witnesses, including both individuals and representatives from organizations, on the present state and the future of agriculture and forestry in Canada.

That the papers and evidence received and taken on the subject during the First Session of the Thirty-eighth Parliament be referred to the Committee;

That the Committee submit its final report to the Senate no later than March 31, 2007.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

On motion of Senator Fairbairn, motion placed on the Orders of the Day for consideration later this day.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO ENGAGE SERVICES

Hon. Joyce Fairbairn: Honourable senators, I give notice that at the next sitting of the Senate I shall move:

That the Standing Senate Committee on Agriculture and Forestry have the power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Joyce Fairbairn: Honourable senators, I give notice that at the next sitting of the Senate I will move:

That the Standing Senate Committee on Agriculture and Forestry be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

ENERGY, THE ENVIRONMENT
AND NATURAL RESOURCES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Tommy Banks: Honourable senators, I give notice that at the next sitting of the Senate I will move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO ENGAGE SERVICES

Hon. Tommy Banks: Honourable senators, I give notice that at the next sitting of the Senate I will move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

QUESTION PERIOD

HOUSE OF COMMONS

COMMENTS BY MEMBER FOR SASKATOON-WANUSKEWIN

Hon. Lillian Eva Dyck: Honourable senators, my question is directed to the Leader of the Government in the Senate. In a press release last week, Mr. Maurice Vellacott, MP for Saskatoon—Wanuskewin, said that he was appointed chair of Aboriginal Affairs and Northern Development Committee by the Prime Minister. Mr. Vellacott is well known in Saskatoon and probably throughout Canada for his far right-wing views. What is most disturbing to many is his refusal to acknowledge that some members of the Saskatoon Police Force had been dropping off inebriated Aboriginals on the outskirts of the city, even in the dead of winter at temperatures below minus 20. Sadly, several Aboriginal men were found frozen to death in the same area on the outskirts of town.

• (1410)

In an interview reported in *The Globe and Mail* on April 18, Mr. Vellacott now claims that the practice of natives gathering to drink in a shack outside of town was likely the main reason people were being found on the outskirts of Saskatoon. This latest claim once again reveals Mr. Vellacott's lack of understanding of Aboriginal issues and, like his previous claim, that these men were being asked to be dropped off rather than the police dropping them off, is offensive.

Therefore my question for the Leader of the Government in the Senate is: Has the Prime Minister been made aware of Mr. Vellacott's history with respect to his views on the freezing deaths of Aboriginal men and the Saskatoon police?

Hon. Marjory LeBreton (Leader of the Government): In answer to the honourable senator's question, for which I thank her, I have no way of knowing if someone explicitly made the Prime Minister aware of the comments of an individual member of Parliament. However, I certainly was aware of some of them from reading the news. Beyond that, I have no further comment to make on any comments made by an individual member of Parliament.

Senator Dyck: Honourable senators, the objection from the Saskatoon community to the possibility of Mr. Vellacott being made the chair of the Aboriginal Affairs and Northern Development Committee is exemplified by the headline in the local paper in Saskatoon, "Hard to imagine worse choice than Vellacott." Furthermore, the public outcry has resulted in an on-line petition, which, by yesterday at 12 noon, had received 1,216 signatures.

My question to the Leader of the Government in the Senate is whether the Prime Minister would be open to re-evaluating his presumed nomination of Mr. Vellacott as chair of the Aboriginal Affairs Committee, and will he instead name someone else as his preferred choice?

Senator LeBreton: I thank the honourable senator for that question. The direct answer is that the Prime Minister did not name Mr. Vellacott as the chair. The chair of the committee will be elected in the committee by members of the committee.

Senator Dyck: Honourable senators, it is interesting when reading the newspapers — and this is Mr. Vellacott's history of issuing releases — it seems clear that he says he was appointed and later it says no, he was not appointed, but he was encouraged to run. What is the real story here?

Senator LeBreton: Far be it from me to say anything about the media, but I tend to believe only 5 per cent of what I read and 100 per cent of what I see.

NATIONAL DEFENCE

MEDIA ACCESS TO REPATRIATION CEREMONIES OF SOLDIERS KILLED AT WAR

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, the government has altered past practice by barring the media and thereby other Canadians from the ceremony at CFB Trenton, repatriating the remains of Canadian soldiers killed in action on April 24 of this year in Afghanistan.

I must say I felt honoured to stand with other senators in this chamber as we paid respect to them earlier in the sitting. We are all, I know, anxious to accord those who serve in our military in the name of Canada our support in their missions; all the more so should they become casualties.

Denying the media access at the gate of CFB Trenton, causing the use of telephoto lenses, pictures through the wire, as well as confrontations between the military and journalists, was not dignified. I believe it is fair to say that respect was shown by the media when they were given access under the practices of the previous government.

Is this matter now under review? Will the government consider reinstating the practice of the previous government?

Hon. Marjory LeBreton (Leader of the Government): I thank the Leader of the Opposition for the question.

This is a very sad and tragic situation and no one in this country wants to, in any way, take advantage, for whatever reason, of the terrible situation faced by the families of those victims. What the Minister of National Defence has tried to do, is doing and is intending to continue to do — and no, we will not retract what we are doing — is to establish some protocol, respect and order.

When the soldiers were killed in Afghanistan, there was full media knowledge and coverage of the horrific deaths; there was full coverage of the ramp ceremony when they left Afghanistan, and when they were repatriated, when they came back to Trenton. The Minister of National Defence is trying to establish some sense of order for the families. Some families do not mind the media and some families do, so Minister O'Connor is trying to establish a system whereby there is a send-off ceremony, and there is a very private, personal ceremony when they arrive in Trenton with the military, with National Defence and with their families. If the families so decide, they have the right to invite the media to attend the funeral and any memorial, for which they will have the full support of the Department of National Defence.

Hon. Joan Fraser (Deputy Leader of the Opposition): My supplementary question is on this matter and it is for the Leader of the Government in the Senate.

We all share the desire to handle these tragic occurrences with the greatest possible dignity and respect for the soldiers who have done more for Canada than any of us ever will. However, I will quote the father of a soldier who was killed in Afghanistan four years ago, who said that having the media present when his son's body was brought home helped his family. He said:

We need to have the Canadian people see the consequences and the cost of lives of our soldiers. It is the ultimate sacrifice. They need to see it and they need to understand.

Members of other families have said the same thing in recent days.

I will take the Leader of the Government at her word when she says that this policy was designed with good intentions, but it does not seem to be having the desired effect. Therefore, I would ask her: Will she return to her colleagues and ask them to reconsider this policy so that, in a dignified manner and not with cameras pointing through wire fences, all Canadians may have a chance to share in what is, after all, a public ceremony when these brave men are brought home?

• (1420)

Senator LeBreton: I thank the honourable senator for her question, in which she quoted a father who lost his son a few years ago. This is an emotional issue about which people on both sides feel strongly. Some family members have expressed the desire that the media not be involved because they want a private ceremony for them, their military comrades and their families. Obviously, they do not approach the media to say that they do not want the media present.

The minister is simply trying to establish a protocol that provides full access only when they initially leave the theatre. That allows the families to decide, once their loved ones have returned to home base in Canada, whether they want the media present for the memorial service or burial. If the families decide that they want the media present, then National Defence will fully support and assist them.

In the first instance, when all of these families are gathered to receive their loved ones home, the Minister of Defence is trying to protect the families' privacy, including those families who do not want the media present on that occasion. In so doing, there is still ample opportunity for Canadians to grieve at the send-off ceremony or at the home base funerals, should the families so desire. Minister O'Connor is trying to establish a protocol that respects the wishes of all.

Senator Hays: Honourable senators, I have a final supplementary question. This issue will play out in our free and open society. We have no way of fully realizing some of the things the government leader has described in terms of the privacy of families. I would ask the government leader to communicate to

the government that the matter is easily revisited, should the media persist in pursuing the issue. Past practice achieved virtually all the concerns the Leader of the Government in the Senate described in respect of the government, the media and the families.

Senator LeBreton: Certainly, I shall take the concerns of senators opposite back to my colleagues.

The honourable senator spoke to past practices. Let me remind the honourable senator that many Canadian peacekeepers were killed in Bosnia and were brought back to Canada with no notice, no ceremony, no flags and no thanks — nothing. To hold out past practices might not be the answer. That is precisely why the Minister of National Defence is trying to establish a protocol respecting the death of an individual in service to his or her country. The protocol will ensure that those families who want private moments, without the glare of the media, will be able to greet their loved ones privately, whereas those families who are not opposed to media attention will have the option of having the media present when the soldier has been returned to home base for a memorial or funeral service.

Hon. Marcel Prud'homme: Honourable senators, I am the only person here who went through the entire flag debate and voted in favour. Thus, when an argument develops around the flag, it is an important issue for me, because I know where the argument could lead — the flag should be up, the flag should be down.. We should handle this situation carefully.

I am also an ex-officer of the military police in Shilo, Manitoba. When an argument touches any facet of the military or veterans, it touches me. Although I was not well, I insisted on staying in Shilo, Manitoba, which is not the nicest place for a 20-year old to spend three long years.

There is no doubt in my mind that the politicization of this issue will serve neither the interests of Canadians nor the military. The Senate, as honourable senators know well, is a place of reflection and second thought. As such, senators can surely envisage this debate developing into an atrocious and moronic one.

I would, therefore, ask the honourable leader to take the following suggestion back to the government — that is, to bring together a group of well-versed people who are not afraid to show emotion, from the Senate, the House of Commons and the Canadian Forces, to determine the best way to proceed.

It is important to understand families' reactions to media presence, whether pro or con. We want to honour both those who have lost their lives in service to their country and their families in the best manner possible.

Certainly, there are those who are better versed in military matters than I am. I should like to know whether it is possible to have silence on this issue until we come up with an idea. If my proposal makes sense, then proceed. If my proposal does not make sense, then forget I rose to speak to the issue.

I deem this to be a bad debate at the wrong time. If we could do this in a different way, I believe everyone will be pleased with the outcome of the discussion.

Senator LeBreton: Honourable senators, I thank Senator Prud'homme. I could not agree more.

The honourable senator spoke to the issue of the flag. It is interesting to note that Canada's military bodies — the army, the navy, the air force — as well as the Royal Canadian Legion support the decision to not lower the flag. Soldiers overseas fight to keep the flag held high. In fact, as senators arrive at work each day, we see the Peace Tower, which is a memorial to our soldiers who fought in the past.

Hence, the honourable senator's suggestion to examine the entire protocol in terms of when the flag should be lowered is a good one. I appreciate the words of the honourable senator.

[Translation]

Hon. Roméo Antonius Dallaire: Honourable senators, the subject is an extremely emotional one and of prime importance because our fellow citizens have made the ultimate sacrifice of their lives to carry out vital missions assigned to them by the Canadian government.

A country such as ours must be proud and ready to pay the ultimate price not only in sweat and tears but also, potentially, in the blood of its young people. A level of decorum, dignity and respect for this sacrifice must therefore be maintained.

In this context, we have changed hugely since the start of all these operations, since the Gulf War, where we treated our people unconscionably afterwards.

• (1430)

When I was commanding and troops were lost in operations, there were times when the people of Canada were to be kept in ignorance of the ultimate cost of missions, which were often debated.

In the years that followed, however, under the Chrétien and Martin governments, the scenario changed significantly and transparency was the watchword. We Canadians wanted to know the cost. In fact, the government of the day was open to people knowing the full cost. The aim was not to establish that the price was too high, but, rather, to encourage and support the families affected.

In this context, the media served to inform Canadians with dignity. They treated the emotions involved in moving occasions, such as the arrival of a casket from overseas, with respect. We gave the media considerable leeway so that people could know.

This policy was established only in 1994, because, previously, our people were buried overseas. Now we bring them home so the memorials may be held here.

There will be other missions. There will be other lives lost and sacrifices made. I think it wrong to see the media as thieves at the gates of a camp as they try to get a long shot through the barbed wire and end up revealing their sometimes negative paparazzi side.

Of course we must accept the media. We must establish a structure to ensure they do not get too close to family and friends. While they have to be there, they must not become the enemy of the military.

My question is perhaps repetitive, but it has a point. Is the government prepared to consider the media the voice of the people? Will the government allow them to report these events in a dignified and appropriate manner before families in distress?

[English]

Senator LeBreton: I thank Senator Dallaire for his question. He was making some of the points that I was trying to make.

The point is that the media has full access to cover these horrific events, and let us hope that there are fewer and fewer of them.

The problem is that when bodies are returned to Canada, to Trenton, that is the first opportunity that their families and the National Defence officials have to greet those bodies. Out of respect for the families, I do not think the media has a right to go in and see some family members who view this as a very private and personal matter. How many more pictures should be taken, and what purpose is served by having pictures taken of some family member who has lost her husband or a loved one —

Senator Milne: Let the family members decide!

Senator LeBreton: — crying over her husband's coffin?

Senator Bacon: That was hidden.

Senator LeBreton: That was not hidden. It was very much in the media. I saw it myself.

The problem is that we need to have one set of conditions for everyone. Some families want media attention; some do not. There is ample opportunity for media attention when the body leaves Afghanistan. There is an opportunity, if those families so desire, to have the media and the Canadian public included in the ceremony to bury their loved ones, but there must be a limit for those families who do not want the media there. Even if the media are, as the honourable senator says, looking through a barbed-wire fence, they must have respect for the families who do not want the media involved. This policy will ensure that for one major part of the arrival home of these bodies, the media will not intrude on those families who do not want the media involved.

NATIONAL CHILD CARE

PROPOSED GOVERNMENT PROGRAM

Hon. Art Eggleton: Honourable senators, my question is for the Leader of the Government in the Senate.

The Prime Minister may not have noticed, but he leads a minority government. In the January election, 63 per cent of Canadians did not vote for his party, but voted for a party that supports a national system of early learning and child care.

Canadians have spoken, and this government simply does not have a mandate to cancel the agreements with the provinces that form the foundation of a program that is needed by the people of this country.

Will the government respect the limits of its mandate by keeping the agreements with the provinces in place or, if it is determined to cancel them, negotiate with the provinces on an alternate plan that will accomplish similar aims of developing early childhood education and quality child care spaces in Canada?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank Honourable Senator Eggleton for his question.

I was rather amazed at the honourable senator's logic. Since we are into a multi-party system in this country, he is suggesting that the Chrétien and Martin governments were not legitimate because they did not have the support of the majority of the electorate for many of their policies.

An Honourable Senator: Three majorities!

Senator LeBreton: As the honourable senator is well aware, the Conservatives' child care plan is twofold. The first part of the plan is to provide \$1,200 per year to parents for each child under the age of six. The next part of the plan is to work with business and communities to create 125,000 child care spaces, which, I might add, are 125,000 more spaces than the previous government ever delivered on.

Senator Mercer: When is the official opening? We would like to know that.

Senator Eggleton: On a supplementary question, I think the government is missing the real problem. The final suggestion of the honourable senator is one that Mike Harris tried a number of years ago, and it did not work at all. The truth is that this \$1,200 per year, or \$100 per month, subject to tax, will do nothing to create new spaces or to meet the real costs of providing quality child care.

Furthermore, according to a report released today by the Caledon Institute, the Conservative government is planning to eliminate a portion of the Canada Child Tax Benefit which helps the poorest of our society.

Senator Carstairs: Tell me it is not so!

Senator Eggleton: I ask the Leader of the Government: Is this the way that the Conservative government plans to operate, to take from the poor to give to the rich, a reverse Robin Hood process?

Senator LeBreton: Honourable senators, Senator Eggleton must really stop reading the headlines in *The Globe and Mail*.

Senator Rompkey: What papers do you want us to read?

Senator LeBreton: The Caledon Institute came out today with a story based on many assumptions. They obviously have a crystal ball that the rest of us do not. To the honourable senator and to the Caledon Institute, which has based its article on assumptions, I will say that we will simply wait until Tuesday, May 2 for the budget.

Senator Mercer: Hear, hear. Mark that down.

• (1440)

PROPOSED GOVERNMENT PROGRAM— CALEDON INSTITUTE ESTIMATE ON BENEFITS

Hon. Marilyn Trenholme Counsell: Honourable senators, my question is also about children and *The Globe and Mail* article today. I wish to ask a very direct question of the Honourable Leader of the Government in the Senate. Does our new government agree or not agree with the Caledon Institute's calculations that families who make more than \$200,000 a year with one parent at home will keep \$1,076 out of the \$1200 annually and that families of two working parents with a combined income of \$30,000 will keep just \$199 annually of the new payments?

Senator Mercer: Shocking!

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for that question. I saw the Caledon Institute story. Unfortunately, I commit the same sin as Senator Eggleton in reading *The Globe and Mail*. I should know better. In any event, I cannot comment on that because I do not know upon what they are basing their assumptions. We will just have to wait for the budget.

Senator Bacon: That is easy!

[Translation]

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-Ninth Parliament.—(3rd day of resuming debate)

Hon. Lise Bacon: Honourable senators, in all fairness I must first congratulate the government on presenting a throne speech that reflects the priorities it campaigned on. This speech is notable for its clarity and brevity, but we live in an increasingly complex, interdependent world. The challenges it presents require us to look at issues from every angle.

The modern art of governing is to strike a balance between the need for a competitive approach, economically speaking, and the presence of principles of solidarity and social justice. Canada's main strength, and probably its greatest success, is

creating the best of both worlds. We take the North American economic dynamism and add a European sense of social solidarity and equal opportunity. It is what makes us proud and sets us apart from our neighbours to the south and from Europe.

During the election campaign, the current government identified five priorities. Once in power, it stayed on course and we commend it for that. That being said, the government is failing to address other equally urgent issues such as protecting our environment and issues surrounding the Aboriginal people of Canada, as we point out in our amendment.

Upon reading the Speech from the Throne, we must make the following observation: what is seriously lacking in this speech is a global approach to the problems we are currently facing. The five priorities identified by the Prime Minister are easy to understand, but the world in which we live is much more complex.

No one is against virtue and we all agree that some measures for enhancing governmental accountability are appropriate. The emphasis the Conservative Party has put on ethics played a key role during the election campaign. Accordingly, we expect the Conservatives to scrupulously respect their plan of action on this issue.

[English]

The Conservatives' promise to implement the Information Commissioner's recommendations is designed to facilitate the use of the Access to Information Act. Faced with the protests these measures provoked, the government backtracked on a key element of its electoral platform, because it is now content with submitting an important part of the commissioner's recommendations to a parliamentary committee. This means it does not have to amend the Access to Information Act as it had promised.

[Translation]

On tax reduction, let me say that reducing taxes can be beneficial if the tax cut produces real economic gains.

Experts agree that reducing the GST by one point will have a limited impact on the Canadian economy, although it may promote consumer spending. But consumption of goods is not the only measure of economic health. There are other indicators as well.

Increased productivity is one such indicator. To boost productivity, tax measures such as savings incentives and assistance for companies that want to invest in training or infrastructure can be useful. It seems as though the government's tax reduction program has only one component: cut the GST.

[English]

A number of economists agree that income tax cuts are more advantageous for middle class and low income taxpayers than a reduction in the GST. Cutting taxes is not a bad initiative as long as we do not lose sight of the fact that it has to be combined with economic and social development.

[Translation]

The throne speech contains a few paragraphs explaining the government's program to tackle crime. The crux of the problem is summed up in just a few words, however, "provide hope and opportunity for our youth". The speech goes into detail about how important it is to restore law and order, stating that communities are increasingly under threat of gun violence. But according to Statistics Canada, Canada's crime rate has dropped by 12 per cent in the past 10 years. The tone and the words used imply that we have a serious crime problem. But this is just an illusion.

The government wants to impose tougher, mandatory minimum sentences for gun crimes. Traditionally, in our legal system, judges have exercised their discretion in sentencing rather than imposing minimum sentences. There is a reason for this. By giving judges greater latitude, we let them judge each case on its own merits and use common sense as warranted. Introducing the proposed minimum sentences could swell the prison population and bring about a corresponding increase in prison system costs. Do we really want overcrowded prisons, as in the United States?

It seems equally clear that the new government has opted for a penal solution to this social issue, which is rather disappointing.

The new government confirmed its intention to do away with the gun registry, not in the Speech from the Throne but to the Canadian Professional Police Association. Although representatives from the association, particularly its president, Mr. Cannavino, have requested that the registry be maintained, the government appears determined to go ahead with its plans to scrap the project. Police authorities argue that the registry is an important tool for them, which they use to conduct some 5,000 checks daily. However, the government does not seem to hear their argument.

[English]

On the topic of balancing work and home and day care, we all accept that young couples are faced with demanding professional obligations while wishing to be good parents to their children. Given the cost of living today, it is certainly unrealistic to think that a family will be able to make ends meet with an additional \$100 a month before tax for their children's care.

[Translation]

Quebec has developed an impressive network of \$7 a day child care centres with highly competent, specialized educators. This success in Quebec is what inspired the previous government to establish a national child care program. Agreements were signed with the provinces and, now they are all being cancelled in favour of sending cheques for less than \$100 a month to parents. This shows carelessness and a lack of seriousness.

The Speech from the Throne indicates that the government will encourage the creation of new day care spaces. Nowhere does it mention the 125,000 spaces promised by the Conservative Party platform. The minister responsible for the file, Diane Finley, recently stated that, no matter what action was taken for day care centres, it would not equal the five-year agreement in principle that the previous government had reached with the provinces in order to provide them with adequate funding.

In this matter, the government opposes Quebec and several provinces. It has opted for a simplistic measure — receiving a cheque at home makes you feel good — in order to make parents believe that it supports them. But experience has shown — and Quebec experience first and foremost — that establishing a structured and well-organized network of government-supported child care facilities is the measure that will result in sustainable, quality day care in Canada.

• (1450)

[English]

Since we are in the Senate, I cannot allow the government's promise to elect senators to pass without comment.

In the Speech from the Throne, the election of senators is not mentioned directly. Instead, the speech talks of means to ensure that the Senate better reflects the democratic values of Canada. This corresponds more or less to the election promise to elect senators without, however, first amending the Constitution.

[Translation]

In our opinion, the government is mistaken on two counts. First, it is impossible to elect senators without undertaking constitutional reform. If the government goes ahead by sidestepping a constitutional debate, it may cause serious harm to our institution by creating two categories of senators — the elected and the unelected. If these two types of senators were to cohabit in the Senate, it would consequently be dysfunctional and probably paralyzed. Elected senators could claim a certain level of authority over their colleagues by way of the legitimacy resulting from their election by the public. We have strong reservations about the viability of this formula for an institution such as the Senate.

Second, in our British-based parliamentary system, the election of senators would completely change the current dynamic. It would seem wise for a thorough examination of the powers and functions of the Senate to accompany a change in the means of choosing senators, especially if it were a question of electing them.

The government must do its homework properly and put forward a comprehensive Senate reform proposal instead of imposing changes piecemeal to score political points.

In terms of opening up to Quebec, we must — without becoming too partisan — recognize the efforts of the new government. We think that the vast majority of Quebecers, including francophones, are retaining both facets of their identity, their dual loyalties to both Quebec and Canada.

Quebecers are proud of the progress Canada has made in terms of bilingualism since the Royal Commission on Bilingualism and Biculturalism and the Official Languages Act. They realize that the existence of two official languages alone does not accurately reflect all of our country's complexity and history.

[English]

Sooner or later, any serious openness to Quebec will have to look at formal recognition of Quebec as a distinct society within Canada. The only concrete form for that is constitutional recognition as a distinct society. It is our opinion that the very concept of a distinct society predates Confederation.

[Senator Bacon]

Senator Corbin: Order! Order!

[Translation]

The Quebec Act of 1774 guaranteed free exercise of the Roman Catholic religion, recognized the seigneurial system and provided that civil suits would be heard under French law. A number of historians have claimed that, collectively, the Royal Proclamation, as enforced by the first British governors, the Quebec Act of 1774 and the Constitutional Act, 1791, provided in a formal sense for the legal recognition of the distinctive nature of Quebec.

Historian Ramsay Cook has written regarding Quebec that “the very act of creating that province in 1867 was, implicitly, a recognition of distinctiveness”. The British North America Act also included several explicit recognitions of that fact. Section 94 recognized the civil law of Quebec as distinct. Section 133 was in the same vein, making French an official language in Canada.

From the very outset, Quebec was never quite like the other provinces, because its history made certain constitutional variables desirable. The vast majority of experts both in Quebec and in other parts of the country agree that the concept of a distinct society is simply the formal recognition of an established and historical fact. Quebec is effectively different because of its laws, its language and its culture.

In conclusion, let us do as the government has done with its famous five priorities and draw up our own list of the five most obvious priorities that have been left out. This is actually quite an interesting exercise. Nowhere does the government mention the importance of investing in research and development and increasing provincial transfer payments to support post-secondary education. This particular challenge is no doubt the most important one in ensuring the future of our young people and the competitiveness of our businesses. Not a word.

Second, the speech completely ignored the challenge that emerging markets in India and China are creating for the Canadian economy. The previous government recognized this new and inescapable reality.

Third, the plan to achieve the objectives set out in the Kyoto Protocol is not a priority for this government, which considers Kyoto too ambitious to begin with. We are talking about the future of our children and the future quality of life for all Canadians. The stakes for the environment are too high not to make this a priority.

Fourth, we must address the future of Aboriginal Peoples. The Kelowna accord was a truly comprehensive, long-term strategy to improve the socio-economic conditions of Aboriginals. In spite of their protests, the new government is refusing to allocate the \$5 billion necessary to implement the principles of the accord.

Fifth, there is also no mention of culture. The Canada Council's budget will not be doubled by 2008, as the former government had promised. Government support for cultural development is needed in Canada, given the pull that American culture exerts on us. Moreover, new technologies such as the iPod and the Internet will change our cultural industries forever. Conventional

television in Canada is facing an unprecedented crisis caused by audience fragmentation, as viewers turn increasingly to the new media for entertainment. The government must address these issues because we cannot hide our heads in the sand much longer. Sooner or later, these issues will catch up with the government.

Even though it is wise to give the new government a chance after an election, it is important to draw attention to the gaps and omissions in the government's action plan. Let us hope at least that the government takes note of our comments and works quickly to close these gaps.

[English]

Hon. Marilyn Trenholme Counsell: Honourable senators, it is a privilege to speak in response to the Speech from the Throne of the Thirty-ninth Parliament in a nation where democracy is cherished and freedom of speech is guaranteed under our Charter of Rights and Freedoms.

It is with humility that I have chosen to stand today in this beautiful chamber surrounded by fellow senators who represent a diversity of achievement as well as the aspirations of their fellow citizens throughout our provinces and territories. Ours is an awesome responsibility. It is in this spirit that I have prepared my remarks, words that I trust will reflect the views of many Canadians. Specifically, I shall limit my remarks to the section of the Speech from the Throne entitled "Providing Child Care Choice and Support."

I quote from the speech:

Strong families ensure a bright future for Canada. The most important investment we can make as a country is to help families raise their children.

...The Government will help Canadian parents, as they seek to balance work and family life, by supporting their child care choices through direct financial support.

...it will also encourage the creation of new child care spaces.

These are noble words. I believe the intention is good, yet I fail to find, in everything that I have heard and read from our new government, anything that reassures me that Canadian families will receive from this government leadership and a national vision for children. I fail to find any words that reflect our current knowledge of early childhood development. It almost seems to me that our new government, at least in the other place, stopped reading and listening a decade ago.

However, honourable senators, I have some good news. At a dinner in Halifax last Friday, an esteemed physician turned to me and said, "I've been reading the biographies of senators. There's certainly a lot of gray matter — not gray hair, gray matter — in the Senate." Honourable senators no doubt appreciate my passing on that compliment.

• (1500)

With regard to quality child care and early childhood development, nowhere in the Speech from the Throne do I find any reference to all the research, all the evidence, all the

conclusions from the work over the last decades to give Canada's children the best possible start in life and to give parents the best possible support and advice on how to raise their children. I have yet to hear our new government offer one word of praise or one word of hope for all the young Canadians who have decided to study early childhood development and early childhood education. These young Canadians love children, and they want to help parents be the best possible parents they can be, whether or not these parents choose to have their children in childcare for part of the day. These young Canadians believe that they, too, can help each child reach his or her own potential, and they want to work with parents to accomplish that end.

I have yet to hear from our new government any suggestion that these same families must be the beneficiaries of all the research, all the best practices and all the knowledge that is ours today in this 21st century about the development of a child's brain, about learning disabilities, about fetal alcohol syndrome, about nutrition and about nurturing.

There is a failure to give any encouragement to the child care workers and early childhood educators of this nation. Our new government is ignoring all those who are dedicating their lives to a greater understanding of early childhood development and dedicating their careers to passing on all that they have learned to parents, so that these parents can be the best possible parents for their children.

Scholars, scientists and physicians work with their colleagues to unravel the mysteries of an infant's brain, to analyze the very nature of learning disabilities, to appreciate the nurturing of a baby day by day and month by month so that they can advise parents who want to do the very best for the little boy or girl in their arms.

I believe I can say with assurance that not one of these scientists, scholars or physicians would ever downplay the central role of parents in raising children; they would never presume to take their place. Yet together, these scientists, scholars and physicians hope to offer to all parents, to all families and to society knowledge that will give a greater hope and a greater possibility to each and every child.

Honourable senators, spring is here. Many of us will plant seeds; we will watch them grow. Sometimes, we will worry that something is amiss. From time to time, we will turn to gardening books — like those written by the late Honourable Lois Hole, a beautiful person and a great friend — or we will call upon specialists in horticulture to answer our questions, to reassure us that our little seeds will yet blossom.

Every time a baby is born, it is spring time. There is joy and hope, there is devotion to parenting, and from time to time there is anxiety. There are questions to be asked; there is help to be sought.

There is a growing body of expertise in this most formidable of challenges — that of raising a child, that of raising the children of a nation.

Why, then, has our new government turned its back on all those who are devoting their lives to early childhood development and early childhood education? Does this send the right message to Canada's parents? Does this tell other nations that Canada values early childhood education and is prepared to make it a national priority? I think not.

Canada's new Minister of Human Resources and Social Development said, in part, in the House of Commons on April 7, 2006, the following:

...the government's strong commitment to the well-being of children and families...

...will give parents more choice in child care....

...not by government, which tells us what works best, but by parents who know what works best....

Canadian parents are true experts in child care. They do not need to be told how to raise their children, especially not by the government.

My experience has been quite different from that of the honourable minister. As a physician, rarely a day passed without a parent seeking advice on behalf of his or her child. Neither of us — parent nor family doctor — claimed to be an expert.

As Minister of State for Family and Community Services in New Brunswick, I heard repeatedly that parents were looking for support in raising their children — not just money, but quality advice and care from professionals who were experienced in the domain of early childhood development.

I would never debate that a mother or a father is the real expert on her or his child; any good parent knows her or his child better than any professional. However, does this translate to the proclamation of the Honourable Minister of Human Resources and Social Development that "Canadian parents are true experts on child care"? Are we the experts on gardening, on automobile maintenance, on investments?

This question is at the heart of the debate between our new government and many Canadians. It is a debate that must not and will not be silenced. There is too much at stake.

Honourable senators, I wish to refer to a May 2003 speech made by Mr. David Dodge, Governor of the Bank of Canada, entitled "Human Capital, Early Childhood Development, and Economic Growth: An Economist's Perspective." He said:

Since the mid-1960s, the economic literature on both the theoretical and empirical aspects of human capital development have evolved greatly....

While parents, along with some psychologists, sociologists and public health experts, have long intuitively understood the importance of early childhood development, it is really only over the last quarter century or so that scientists, physicians and social scientists have come to recognize the crucial role played by early childhood development. And it is only recently that early childhood development has taken its place in the economic literature...

Mr. Dodge continued:

Various factors...interact multiplicatively to produce "success", as measured by readiness to learn, when entering primary school....Investments to improve pre- and post-conception health of the future mother are a crucial input of early childhood development. Effective parenting during the first two years of life is the next crucial step....Support of all types to improve parenting during this period is crucial.

This support includes development of parenting skills, social support, employer and government support to increase the amount of time parents can spend with their children and, in some cases, direct income support....Some minimum level of income support is important (and is now being delivered through the National Childhood Benefit).

However, it must be remembered that in Canada about half of "children at risk" come from households in the top three income quintiles. The real challenge is not delivering bigger cheques to poor families, it is how to reach all parents in their communities....

In the final period of early childhood development — roughly ages three through five — the research demonstrates clearly that some form of early childhood development outside the home makes a very important contribution to the development of the child. This form of intervention, in combination with effective parenting, would appear to significantly increase the chances of a child being "ready to learn" when he or she enters primary school....

Mr. Dodge concluded:

...more should be done to convince politicians of the value of investment in early childhood development —

— but —

— unless methods are developed to engage parents and very local communities in this process, it will not be possible to optimize investment in early childhood development....with a goal of increasing Canada's economic growth and standard of living.

I earlier spoke about spring and the planting of seeds. In 1999, Dr. Fraser Mustard, Canada's leading authority on early childhood development, was saluted as the "master gardener" at a tribute organized by the Institute for Work & Health, Toronto. A master gardener, one who understands better than most the wiring of the brain, said — and I quote:

...there is now substantial evidence that early interventions that enhance the quality of stimulation for children in difficult circumstances can substantially reduce the behavioural problems when these children enter the school system and enhance their learning capacity, coping skills and competence....a quality form of preschool education....for every dollar this intervention program costs, the return after more than 20 years is at least seven dollars...

Dr. Mustard concluded:

Good affordable day care (mainly good support for parents, particularly mothers and their children) or early childhood education for all sectors of society is key for a future learning society.

Honourable senators, in 2006, we have a mountain of information about early childhood development, about parenting and nurturing, about quality child care versus daycare spaces where underpaid and undereducated staff do their best under circumstances that do not reflect best practices.

It was all of this — and so much more — that led Canadians to demand and government to offer a quality child care system based on early childhood development principles. In 2005, it was a system in its embryonic stages. Yet, from that embryo something very valuable for Canada's children and their parents was beginning to take shape. There was vision; there was hope.

Parents want to make the very best decisions for their children. They want to become experts. They cannot undertake the challenge alone with a very few more dollars in their pockets. Society has an obligation to our youngest citizens. Government has a responsibility to lead. Leaders must listen and learn if they are to take a nation into a future that recognizes the accumulated knowledge and wisdom of all who comprise that nation. The most humble gardener has much to share with the most exalted scholar.

• (1510)

These voices are important in a democracy from the smallest unit — the family — to the highest elected office — that of the Prime Minister. No voice should be silenced. All should be heard and respected in a true democratic nation.

I have spoken today as a citizen — a woman, a mother, a physician and a dedicated parliamentarian. I hope that those who are making decisions in our new government will listen and be open to all the knowledge available today about early childhood development.

Parenting is life's greatest responsibility. It can give life's greatest joy, or pain that lasts for a lifetime. Much of this pain can be prevented if we put our knowledge to full use for every child, for every parent. During the years before my husband's death and after, I was the breadwinner. I sought help in the care of our two children. I looked for quality from persons with a deep understanding of early childhood development. There was nothing easy about all of this. From my experience, I know that the parents of Canada and their children deserve nothing less than the best we as a society and a government can offer them. We must not fail.

Colleagues, I call upon our new government to embrace early childhood educators as well as parents, and to do its utmost to create quality child care wherever and whenever parents choose it.

I thank, honourable senators, for their attention.

On motion of Senator Keon, debate adjourned.

[Translation]

SPEECH FROM THE THRONE

ADDRESS IN REPLY—TERMINATION OF DEBATE
ON EIGHTH SITTING DAY—MOTION ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government),
pursuant to notice given April 25, 2006, moved:

That the proceedings on the Order of the Day for resuming the debate on the motion for the Address in reply to Her Excellency the Governor General's Speech from the Throne addressed to both Houses of Parliament be concluded on the eighth sitting day on which the order is debated.

Motion agreed to.

THE ESTIMATES, 2006-07

NATIONAL FINANCE COMMITTEE AUTHORIZED
TO STUDY MAIN ESTIMATES

Hon. Gerald J. Comeau (Deputy Leader of the Government),
pursuant to notice given April 26, 2006, moved:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Estimates for the fiscal year ending March 31, 2007, with the exception of Parliament vote 10.

Motion agreed to.

[English]

STATUTES REPEAL BILL

SECOND READING—DEBATE ADJOURNED

Hon. Tommy Banks moved second reading of Bill S-202, to repeal legislation that has not come into force within ten years of receiving royal assent.—(*Honourable Senator Banks*).

He said: Honourable senators, I see that many of those present have heard me speak about a similar bill to this before, so I will be brief when I talk about its provenance.

The situation which gave rise to this bill did not come from my assiduousness, my insight or my well known, brilliant perception of parliamentary history and procedure. Rather, it was thrust upon me by a letter from a constituent, which was sent to a colleague of ours in the other place in the year 2000. The constituent was a lady in Alberta who had followed, with great personal interest, the progress of a piece of legislation called the Canadian Heritage Languages Institute Act. The bill, which had been introduced in the House of Commons by the then government, went through the process of being passed in that House, was sent to this place, examined, debated and voted upon here, passed in the Senate and given Royal Assent in 1991, and nothing had happened.

How can this be? It had gone through the Commons, it had gone through the Senate, it received Royal Assent in 1991, and in 2000 no effect had been seen from that act of Parliament. I thought something was amiss, until someone older, wiser and more knowledgeable than I said, "Senator, you have to read the entire bill, including the bits down at the end." That is when I first discovered an innocuous looking paragraph, which exists near the end of all legislation, called "coming into force". In the case of the Canadian Heritage Languages Institute Act, that paragraph says:

This Act shall come into force on a day to be fixed by order of the Governor in Council.

This act was passed by both Houses of Parliament and received Royal Assent in 1991. That is the *raison d'être* of this bill. In 1991 the Parliament of Canada expressed its will, it took a carefully considered position and action, it debated, it studied and it voted. The bill was given Royal Assent and it became an act. Parliament passed this legislation, which was the expression of its collective will.

The bill that was passed included the coming-into-force section, which determined when the act would come into effect. It is a discretion to determine when to bring the act of Parliament into force. The government decided not to bring that act of Parliament into force in 1991, 1992, 1993, 1994, 1995, 1996 1997, or since. That act of Parliament has never been brought into force.

Government after government have decided not to bring this act of Parliament into force. In fact, they have decided not to bring this act of Parliament into force. However, the coming-into-force provision does not say that this act "may" come into force on a day to be fixed. It does not say that it "might" come into force on a day to be fixed. It says that this act "shall" come into force, and "shall" is quite a different thing. It is not a mere lexicographical nicety, and it is not a slip of the pen. Shall means shall. When Parliament expresses its will in an act of Parliament, it is not the place of a government, any government, not the government of the day, nor any successive government, to frustrate that will or to ignore it or, worse, to defy it. That is not why the coming-into-force provisions are included in acts of Parliament.

There are sometimes good — not always good — reasons for including the coming-into-force provision in an act. Sometimes the act or sections of it have to be conditional upon other things happening, such as modifications of other legislation, intergovernmental agreements, treaties and the like, or for other good reasons. When Parliament grants this discretion to the government, it is with the clear intention and expectation that the government will bring the act into force.

• (1520)

Parliament does not enact legislation with the intent to provide the government and successive governments with a veto or with the unlimited discretion to decide not to bring the legislation into force. The point of the present bill is based upon that because Parliament is not a function of the government or of the ministry but, rather, it is the other way around. When Parliament expresses its will it is a form of instruction, if anything, to the ministry, to say what it wants the ministry to do and it is the business of the executive to do it.

The point of the present bill is to say that no government is given by Parliament the discretion not to bring into force an act of Parliament year after year; that no Parliament intends that year after year its expressed will should be ignored by government after government. This question has been referred, in more than one similar case, to the highest of parliamentary authorities. The Law Lord Browne-Wilkinson said that to hold that the executive has an absolute and unfettered discretion whether or not to bring a section of an act into effect,

...would lead to the conclusion that both Houses of Parliament had passed the Bill through all its stages and the Act received the Royal Assent merely to confer an enabling power on the Executive to decide at will whether or not to make the Parliamentary provisions a part of the law. Such a Conclusion...is not only constitutionally dangerous, but flies in the face of common sense. It would be most surprising if, at the present day, prerogative powers could be validly exercised by the executive so as to frustrate the will of Parliament expressed in a statute and, to an extent, to pre-empt the will of Parliament.

Lord Birkenhead, commenting on another similar case, said:

Parliament enacts legislation in the expectation that it will come into operation. This is so, even when Parliament does not itself fix the date on which that shall happen.

Lord Lloyd of Berwick said on another similar issue:

It is, after all, the normal function of the executive to carry out laws which Parliament has passed, just as it is the normal function of the judiciary to say what those laws mean.

Speaking of the legislation then in question, he said:

I read s.171 as providing that ss.108 to 117 shall come into force when the Home Secretary chooses, and not that they may come into force if he chooses. In other words, s.171 confers a power to say when, but not whether.

That, honourable senators, is the point — shall come into force but not may come into force; when it will come into force, but not whether it will come into force. Parliament is not a function of the executive because it is the other way around.

For what length of time is it reasonable for Parliament to grant this discretion to the government? At what point does a piece of legislation become stale-dated, so to speak? Legislation devised years ago that was drafted in circumstances entirely different from the present might be inappropriate. It certainly might be out-of-date and it could be dangerous. How long should such acts of Parliament gather dust in the attic before they simply disappear, before they should just cease to exist, or before they should be repealed?

In Bill S-202, I propose that the answer to that question is 10 years. If a government and successive governments fail to bring an act of Parliament into force within 10 years of its receiving Royal Assent, then the government should be obliged to come back to Parliament to show why that legislation should not be repealed. If it does not do so, then the legislation should be

repealed as a matter of course. I mentioned the Canadian Languages Institute Act of 1991 and I could mention the Motor Vehicle Fuel Consumption Standards Act [Not in Force], R.S., 1985, which means that it is older than 1985. It deals with motor vehicle fuel consumption and was devised 21 years ago. It could be brought into force tomorrow afternoon but the situation to which it applies is entirely different from the situation that obtained 21 years ago. How many acts or sections of acts are sitting in the attic?

Honourable senators, this list contains 56 such pieces of legislation — acts of Parliament or sections of acts of Parliament — that successive governments have declined or refused, for whatever reason, to bring into force. There are 56 instances in which the will of Parliament has been ignored, flouted or challenged.

In its present form, the bill is slightly different in its mechanics, but not in its intent, from the one that I introduced under the previous Parliament. This change will allow the government a slightly better opportunity to make its case and to show a little more flexibility than was the case in the previous iteration with which some members may be familiar.

I would ask that this list be circulated to honourable senators so that all are aware of the 56 pieces of legislation. The first such list to be presented according to the bill by the Minister of Justice would be fairly long. I imagine that it would include most of these items. Subsequent lists in subsequent years would be shorter. Honourable senators, I would ask that this bill be sent with alacrity to committee for further consideration, and I thank you for your kind attention.

Hon. David Tkachuk: Would the honourable senator take a question?

Senator Banks: Certainly.

Senator Tkachuk: The honourable senator's speech was very good. I enjoyed his comments and reasons for bringing this bill forward. Has the fact that this legislation was never promulgated hurt the public good?

Senator Banks: No, but that could happen. There are several acts and sections of acts, I would suggest, that would act against the public good should they be brought into force tomorrow afternoon. I do not think there is any instance in which harm has been done to the public good. However, there has been an absence of public good in the sense that 21 years ago Parliament enacted the MVFCS Act, which I mentioned before, to set limits on the nature of the kinds of fuels to be sold for public consumption in motor vehicles in Canada. That would have had a salutary effect on many things, including the economy and the issue of greenhouse gas emissions; but the government decided not to do what Parliament had decided to do. That was a harm to the public interest. The Canadian Heritage Languages Institute Act would have been a good thing for us to have in this country, but the government refused, declined or determined, for whatever reason, not to bring into effect a good piece of legislation that Parliament had debated and passed in all three of its parts, the

House of Commons, the Senate and Royal Assent. In the larger, constitutional sense and in the sense law-making and the place of the Parliament of Canada, then the answer is yes, great harm has been done to the public because the will of Parliament has been ignored by successive governments.

Senator Tkachuk: I did not mean to say that harm has not been done. Rather, I wonder how many more bills might have benefitted from the fact of not coming into force. In other words, were all these bills necessary? Has the public good or the country been damaged? I am not saying that this should happen but, perhaps, the proposed 10 years in the bill might be too long. The honourable senator mentioned earlier that a number of bills have become irrelevant over time. Perhaps the time should be shorter.

Senator Banks: I thank the honourable senator for the question. In previous debates on earlier versions of the bill, many expressed the opinion that 10 years is too long.

• (1530)

The length of time is immaterial to me. This is mainly a question of cleaning out the attic of pieces of existing legislation that could be pulled out of the back pocket by any successive government at any time and put into place in situations in which they would not properly pertain.

The length of time is almost immaterial. When Senator Beaudoin was examining this bill, he suggested that it ought to, in fact, be five years, and he was prepared to make an amendment to that effect. I have arbitrarily selected 10 in order to give the government the greatest possible flexibility to look at this pile of legislation that is sitting in the attic and to decide how to deal with it.

In fact, one of the other things I have done with the present version of this bill respects the coming into force of the proposed legislation, that is, that it will not come into force for two years after the bill has received Royal Assent, in order to afford the government the utmost of flexibility to indicate to Parliament why it still needs a particular piece of legislation — a particular arrow in its quiver. As I said, from time to time, there are legitimate reasons that coming into force needs to be deferred. It is a cleaning out of the attic. The length of time, the honourable senator is quite right, is immaterial. It could be two years or it could be 12 years.

Hon. George S. Baker: Honourable senators, I wish to inquire whether the honourable senator received any sensible explanation from the government regarding some of these particular acts. I have had a glance at them, and I notice that one or two of them are dependent upon provincial-government negotiation and approval.

For example, prior to the government being defeated, the House of Commons had two bills before it concerning drugs. One of them dealt with a lessening of the punishment of persons who had possession of a small or moderate amount of marijuana, for example. Under that proposed legislation, the punishment would be reduced to what is comparable today to a traffic ticket penalty.

Five provinces signed on to the Contraventions Act — thereby removing any conflict with the Criminal Code. A ticket for the possession of a small or moderate amount of marijuana would be issued, taking it out of the hands of the Criminal Code, where the punishment is today, and would be in the case of more than small or moderate amounts.

What would happen in Newfoundland and Labrador, and four other provinces in Canada, is that the accused person would still appear before a judge of a provincial court — the accused person would still then go through the entire procedure under the Criminal Code, and, if found guilty, receive a maximum fine of \$100, all because we were not signatories to the Contraventions Act.

Five provinces signed on to the Contraventions Act, five provinces did not, but there was another problem. We had not passed the Contraventions Act. Consequently, there we were, dealing with proposed legislation, which should have awaited, as Senator Nolin can attest, the passing of the Contraventions Act, which is still in a similar situation to what the honourable senator sees today.

I ask the honourable senator: Did he receive any explanation that made any sense to justify such laxness on the part of the government?

Senator Banks: Attempts were made. The short answer is yes. As I said earlier when I was speaking about this bill, there are legitimate contingencies — conditions, if you like — that have to be met before certain parts of certain legislation can be brought into force and effect. Many of the sections of acts that are contained in this list are in force in some parts of Canada, in some provinces, and not in others. There are legitimate reasons.

I must say, partly in answer to the honourable senator's question, that, by and large, when I first took this bill to the previous government, the ministry was entirely in favour of it. The house leader of the government in the other place had it vetted all around and was prepared to proceed with it.

The push back on this bill came mainly from the bureaucracy — because this bill creates a lot of trouble for the bureaucracy. The bureaucracy likes to have arrows in its quivers, arrows that they can pull out from time to time to use in situations that are analogous to but not precisely the one for which they may first have been intended. That is part of the corollary danger to which I was referring earlier.

Yes, there are some circumstances in which I suspect the government of whatever day could come to Parliament and say, "With respect to this particular section of this particular act of Parliament, it is not in force for the following good and valuable reason, and we request that that be removed from the list and not, as a matter of course, be repealed. "Parliament would be, I am sure, amenable to a reasonable argument being made in that case.

My point is that, if it has been 10 years, it is time for the government to return to us and say, "Here is why this has not happened. Here is why we have not done what you have said, and here is why we need to continue to keep this in our back pocket."

Hon. Pierre Claude Nolin: Some of us are quite supportive of what the Honourable Senator Banks is attempting to do. Since our last discussion in the Legal and Constitutional Affairs Committee of the Senate — PCO had been instructed by the committee to look into the record and to give us an official list of what was not in force at a specific date.

Has an answer to that question ever been received?

Senator Banks: I thank the honourable senator for his questions. To my knowledge, no, that official list has not been received — and I have been in my office as recently as this morning.

The only list that I have ever been able to get is the one that I believe the honourable senator has him — which I obtained through the good offices of the Library of Parliament. I suspect that it is probably correct. This has been going on for approximately five years now, but I do not recall having ever seen a list from the Department of Justice.

I must say that the Department of Justice has been assiduous to some degree in continuing to meet with me and urging upon me to effect certain modifications to this bill — which would assuage some of their concerns. I have listened very carefully to them, and some of what they have said has been contributory to the differences that exist in the present bill as opposed to the previous one.

I have resisted many of their suggestions, however, because they would have the effect of virtually gutting the bill and rendering it useless — if one could, in effect, simply strike something off a list. That would not require the administration, the executive, the bureaucracy or the government to come back to Parliament, after 10 years, or 5, or 12, and say, "Here is why we need to have this again."

I do not ever recall having received a list from the Department of Justice that would set out those acts to which I refer any better than the present list.

• (1540)

Senator Nolin: Senator Banks may recall that there was a gentleman from PCO who, in good faith, told us that we do not know the exact situation of which bills are not in force. That, too, is part of the problem because — and the honourable senator may answer yes or no, and I want to share that with colleagues who were not privy to the discussions that we had on the committee — they think that there is a problem but they cannot isolate the problem because there are too many. That is the problem. To say "yes" to such a valuable bill, they would have to go back into all the files and check what is not in force. For them, that is too cumbersome, I think. That is why I was asking if the honourable senator has received a reply. Yes or no? The answer is probably no.

Senator Banks: No, I have not received a reply. It is too bad that it would be a significant amount of trouble for the government to have to tell us what legislation Parliament has passed and that they and their predecessors have failed to bring into force. I am very sorry that it would take time and that someone would have to go back and look into all those dusty records and check out the attic and find out if the list is even

longer than this one. However, the fact that it would be troublesome is not, in my view, an argument against cleaning out that attic.

I thank the honourable senator for that question because he is quite correct; there was an undertaking made that I do not recall having been met.

Hon. Anne C. Cools: Honourable senators, I think Senator Forrestall is eager to speak. We have to adjourn by four o'clock so I will move the adjournment on Senator Banks' bill. I would like to thank him for all his work and for all his endeavours. It is a very worthy cause.

On motion of Senator Cools, debate adjourned.

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON PRESENT STATE AND FUTURE OF AGRICULTURE AND FORESTRY

Hon. Joyce Fairbairn moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to hear from time to time witnesses, including both individuals and representatives from organizations, on the present state and the future of agriculture and forestry in Canada;

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament be referred to the committee; and

That the committee submit its final report to the Senate no later than March 31, 2007.

She said: Honourable senators, I wish to say a few words about why we are moving this motion today. While the committee expects to have a specific order of reference to focus its efforts on a particular aspect, this more general mandate is equally important to help the committee in its work to support farmers and rural communities across Canada.

For example, in recent years the agricultural sector has faced many unexpected events that affected Canada's economy and society: the potato wart in Prince Edward Island; the devastating droughts in different parts of Canada; the avian flu outbreaks in British Columbia; and the bovine spongiform encephalopathy, otherwise known as the BSE crisis. This proposed order of reference allows the committee to hear witnesses when these kinds of events occur and when it is important that the Senate understands the issue and can contribute to the solution.

BSE hit the country while the committee was mandated to do a very important study on value-added agriculture. As a result of that strict mandate, the committee did not have the flexibility to listen instantly to farmers who were directly affected by the cattle crisis. The Senate, however, agreed to a broader order of reference which then allowed the committee to quickly undertake a study on the BSE issue and to table a report that influenced the government strategy to reposition the livestock industry.

That broad order of reference also allowed the committee to be part of the ongoing work to champion Canada's agriculture and forestry sectors abroad. Last year, under the same order of reference, the committee was able to travel to Washington and discuss with U.S. stakeholders the various ongoing issues that affect our agriculture and forestry sectors, including the closure of the U.S. border to live cattle, the anti-dumping duty on Canadian hogs, the country of origin labelling regulations that could add an unnecessary burden to our agri-food industry and, of course, the softwood lumber trade issue.

As the mandate is general, it gives the Standing Senate Committee on Agriculture and Forestry the flexibility to respond quickly to unexpected events in agriculture and to listen to farmers and rural communities that are directly affected. This flexibility will place the committee in a good position to reinforce the Senate's active interest in the important economic area and the social well-being of our agriculture communities and the farmers and their families who support those communities and are the base of our food industry throughout this country.

It is for that reason, honourable senators, that I wish to move the motion that I read at the beginning of these comments.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, would the Honourable Senator Fairbairn accept a question?

Senator Fairbairn: Certainly.

Senator Fraser: The motion sounds wonderful. Obviously, we should be looking into things like BSE — heaven forbid that there should be many of them. However, I am interested in the way budgeting for such a broad mandate is undertaken.

As I understood Senator Fairbairn, one of the main purposes is to be able to examine questions that arise that we were unaware were going to arise. If that involves travelling or other significant expenditures, how does that work? Will the honourable senator go to Internal Economy with a special budget every time this arises? Does she have any concept at all of what tends to be involved in terms of cost when one of these special events arises? I repeat that I think this motion sounds like a good thing; I am just trying to understand what is involved.

• (1550)

Senator Fairbairn: Honourable senators, Senator Gustafson and I went to the Standing Committee on Internal Economy, Budgets and Administration when we were travelling to Washington. We would do so in other cases.

Agriculture is an unpredictable industry. One of the good things about the Senate is that it is able to step in and have hearings that are perhaps more extended and probing than in the other place. This has been proved time and time again. When we did not have the larger mandate motion, we came into what could have been a very difficult situation because, out of nowhere, BSE struck our country. For that reason, members of the committee do not wish us to be in that situation again should other emergencies arise. Emergencies are totally unpredictable in this particular part of our economy.

Indeed, as Senator Segal has already indicated in this chamber, there is a huge concern across Canada about the constant attacks that have been taking place, as well as world trade decisions and issues that are very detrimental to our Canadian agricultural community.

We are very concerned about the state of the farmers themselves. They are the ones who support us. We are concerned about the tremendous economic and other pressures on farmers. There is a need to be able to examine issues like these, as we have done throughout the years that I have been on this committee. We are able to do that if we have a broader mandate that will allow us to respond before things get out of control and the lives of many Canadians are affected. As consumers of this sector of our economy, our lives are affected.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO STUDY MATTERS RELATING TO MANDATE

Hon. Tommy Banks, pursuant to notice of April 5, 2006, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on emerging issues related to its mandate:

- (a) The current state and future direction of production, distribution, consumption, trade, security and sustainability of Canada's energy resources;
- (b) Environmental challenges facing Canada including responses to global climate change, air pollution, biodiversity and ecological integrity;
- (c) Sustainable development and management of renewable and non-renewable natural resources including water, minerals, soils, flora and fauna;
- (d) Canada's international treaty obligations affecting energy, the environment and natural resources and their influence on Canada's economic and social development; and,

That the papers and evidence received and taken during the First Session of the Thirty-eight Parliament be referred to the Committee;

That the Committee report to the Senate from time to time, no later than June 30, 2007, and that the Committee retain until September 1, 2007, all powers necessary to publicize its findings.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I wonder if Senator Banks would accept a question.

Senator Banks: Of course.

Senator Fraser: As a general rule, it would be nice to have an explanation of what is involved here, why is the committee doing this and, in general, the nature of this study.

Senator Banks: The nature of this study is to be determined by the committee that has authorized this order of reference, which is identical to the order of reference that it has had for the last two Parliaments.

The answer is fairly exhaustive because the mandate that is given in the *Rules of the Senate* to this committee is very broad. This motion narrows the mandate somewhat and makes it rather more focussed. Notwithstanding that focus, you will appreciate that matters having to do with energy, the environment and natural resources these days in this country are a very wide and deep pool of interest.

I can give the honourable senator a partial list of the things with which the committee has in the past been seized and continues in some respects with which to deal. Aside from legislation, one such matter is the continuation of our study of matters having to do with water in Canada. We have issued four reports in the last year and a half, the last of which had to do with water in the west. We will now continue and do a peripheral study on water in central Canada, followed by a study of water in eastern Canada. When I say "west," "central" and "eastern," we have always included the northern reaches of those three geographical areas.

There are also questions of nuclear safety and, in particular, questions of the disposal of spent nuclear waste. There are questions of the extent to which nuclear generating concerns in Canada are obliged to carry the kind of insurance that covers them against untoward events, which in Canada is so minimal as to be laughable by comparison with what is carried elsewhere in the world. One of the questions we will be asking in our pursuit of that study is whether there is any point, since the Government of Canada is on the hook once the insured amount runs out anyway, and since those amounts will be so astronomical if 100 gallons of highly radioactive heavy water gets into Lake Ontario, why should we bother paying all those premiums which have to be laid off on so many different insurance companies, most of them outside Canada because Canadian insurance companies cannot handle them.

There are matters having to do with GHG emissions. We are at a crossroads now in this country. We are looking at how the new government will deal with that question. This government has said it will deal with greenhouse gases differently than the previous government. Several of our reports had to do with that question.

There is also the overall question of sustainability and the balance between sustainable development and industrial development and to continue doing good business so that we do not put ourselves out of business by becoming a bunch of tree huggers. That is a partial list of the things with which our committee deals over a period of time.

I will give the honourable senator an example of how effective and efficient we are. We piggyback and ensure that when we go to some place to examine one question, while we are in that place we also examine other questions with which we are dealing at the same time.

Senator Fairbairn was asked about travel, and sometimes we are obliged to travel. When we are looking at questions of nuclear liability, for example, one must go to Vienna. There are worse things than going to Vienna, but one must go to Vienna because that is where the International Atomic Energy Agency is.

Senator Murray: One has been there, has one not?

Senator Banks: One has been there, yes. It is quite delightful. I have the name of a couple of good restaurants that I am able to share with members.

In the course of that business, we met with a number of other people having to do with a number of our other concerns. We are very efficient in those respects.

I have just given Senator Fraser a partial list. The name of the committee is the best indication of what we will be looking at.

Senator Fraser: Does the honourable senator have any idea what would be the first priority?

Senator Banks: I would be proposing to the committee at its meeting tomorrow morning at nine o'clock, when it will begin to discuss its work plan between now and next December, a continuation of the water policy. That will be our first study. Our most recent report, which was released just before the end of the last Parliament, dealt with water in the west. We now want to look at water in central Canada. That will have to do with matters having to do with the Boundaries Waters Act, the international joint commission, et cetera. That is what I will propose to the committee. The committee has not yet determined which of the many things that it has already dealt with covered under this order of reference it wishes to pursue, but that will be my proposal to the committee for the first thing to do.

Hon. Terry Stratton: I have a brief question. Does the committee ever intend to finish this study?

• (1600)

The scope is quite wide. I do not know how the committee could possibly finish. How old is the honourable senator?

Senator Banks: Not old enough. The short answer to the question of Senator Stratton is no.

[Translation]

Hon. Fernand Robichaud: Honourable senators, Motion No. 8, which the Honourable Senator Banks has just moved, is the motion for which he gave notice last week, is it not? This motion does not come from the committee, is that right?

[English]

Senator Banks: I thank the honourable senator for his question. However, he is not correct, the motion has come directly from the committee. The reason that I gave notice of this motion some time ago was in anticipation of being able to save the day that it would otherwise take were I to introduce it now, and in order that the committee could begin tomorrow's meeting by beginning to deal with its work plan. I gambled.

However, at the organizational meeting of the committee which took place last night, I presented this proposed order of reference to the committee, and committee members reiterated that this is what they wish to be presented to the Senate, and so I did not have to amend the motion today.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Colin Kenny, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on National Security and Defence have power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Colin Kenny, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on National Security and Defence be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

He said: Honourable senators, this is the same order of reference that the committee has had in previous years and that has been adopted by the committee. It is intention of the committee to deal with volume 2 of the defence review, volume 3 of the defence review, the 1966 security guide and a review of first responders. That would comprise the work of the committee, and they have gone through a work plan and figured out the timing for it.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

[*Translation*]

The Senate adjourned until Thursday, April 27, at 1:30 p.m.

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CANADA

Debates of the Senate

1st SESSION

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39th PARLIAMENT

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VOLUME 143

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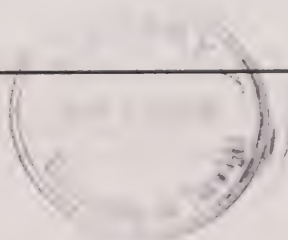
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OFFICIAL REPORT
(HANSARD)

Thursday, April 27, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER



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Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, April 27, 2006

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

BUDGET SPEECH

ACCOMMODATION FOR SENATORS IN COMMONS GALLERY

The Hon. the Speaker: Honourable senators, I wish to remind you that the budget speech will be delivered in the other place at 4 p.m. on Tuesday, May 2, 2006. As has been the practice in the past, the section in the gallery in the House of Commons that is reserved for the Senate will be reserved for senators only on a first-come, first-served basis. As space is limited, this is the only way we can ensure that those senators who wish to attend can do so. Unfortunately, because of lack of space, any guests of senators will not be seated.

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I should like to draw your attention to the presence in the gallery of Commissioner Christine MacMillan, Leader of the Canada and Bermuda Territory of the Salvation Army.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

SENATORS' STATEMENTS

NATIONAL PHYSICAL THERAPY MONTH

Hon. Pat Carney: Honourable senators, each year National Physical Therapy Month is commemorated between Earth Day and Victoria Day weekend. This year, it runs from April 22 to May 22.

The Canadian Physiotherapy Association estimates there are currently close to 16,000 physical therapists practising in Canada. Demand for their services continues to increase because of our growing and aging population. Physical therapists are vitally important health care providers. They ensure that Canadians remain mobile and achieve optimum physical functioning following an injury or an illness. They work in a variety of settings ranging from hospitals to private and community clinics, and their patients include the very young and the very old.

• (1340)

[English]

The day-to-day work of a physical therapist may involve treating patients suffering from a variety of conditions, such as complications following a stroke, injuries caused by motor vehicle accidents, fractures, sports-related injuries, back care, whiplash, cancer, repetitive strain injury and, in my case, hip surgery — joint replacement.

With their applied knowledge and understanding of the human body in action, physiotherapists work with clients to increase mobility, relieve pain, build strength and improve balance and cardiovascular function. Early access to physiotherapy plays an important role in chronic disease prevention and control, keeping Canadians active and independent, at work or returning to work, and out of hospitals and long-term care facilities. They really are our guardian angels, and we should take a moment to honour their work.

[Translation]

MR. GWYN MORGAN

NOMINATION AS FUTURE PUBLIC APPOINTMENTS COMMISSIONER

Hon. Pierrette Ringuette: Honourable senators, the ghosts of the Reform Party are back to haunt us with the help of the current government.

Yes, honourable senators, a few days ago, Prime Minister Harper appointed one of his good friends, his bagman Gwyn Morgan, to a position that does not yet exist.

[English]

Yes, ghosts from the past are now ghosts of the present and will certainly be ghosts of the future for this government. I do not know Mr. Morgan, but what I know of him is sending very bad vibes to me as a Maritimer and as a senator responsible for regions and minorities. In fact, let me quote excerpts from Mr. Morgan's speech made last December at the Fraser Institute. He said:

Immigration has a social side as well as an economic one. The social side is all too evident with the runaway violence driven mainly by Jamaican immigrants in Toronto, or all too frequent violence between Asian and other ethnic gangs right here in Calgary.

Further, he said:

Immigration groups blame "poverty" or "police discrimination" or "lack of opportunity." Once again, these are symptoms, but not the root cause. Here is the root cause they all know, but don't talk about: the vast majority of violent, lawless immigrants come from countries where the culture is dominated by violence and lawlessness.

Then he said:

It's fair to say that most immigrants who abuse our society have come in as refugee claimants rather than "economic immigrants." This not only means they are more likely to have violent tendencies, but also much less likely to have the skills, training and attitude necessary to contribute to our society.

He went on:

The curse of the Maritimes is perpetual equalization combined with an unemployment insurance system that acts as an unemployment assurance system.

Finally, he stated:

It has been demonstrated time and again that private sector unionization eventually leads to an uncompetitive business.

Honourable senators, how can we accept a person who makes such generalizations and so many character assassinations, as head, eventually, of the Public Appointments Commission? Attacking so many Canadians with such prejudice is unacceptable to me. In fact, if one removes Maritimers, immigrants and members of unions, the pool of "acceptable" Canadians according to this ghost of the Reform Party is, evidently, very restrictive. He probably did not know or did not want to know that in reality there are more seasonal workers in British Columbia alone than in all the Atlantic provinces combined.

For this Reform ghost, receiving oil development tax incentives is not a subsidy and not an assurance system. Of course, immigrants are welcomed and needed on the condition —

The Hon. the Speaker: Order!

Some Hon. Senators: More!

NATIONAL CHILD CARE

Hon. Mira Spivak: Honourable senators, in view of the hot debate on child care today, it is perhaps interesting to review the history of government initiatives in this area, including the Senate.

Twenty years ago, the first and only federal task force on child care delivered its final report. The Katie Cook task force recommended a universal system of child care, co-funded by the provincial governments, a system affordable to parents, with national standards to ensure quality care. It urged a gradual increase in the supply of regulated child care spaces until the year 2001, when it would at last serve all the children of Canada and all the families who needed this fundamental support service.

It is also 18 years ago last month that the Senate formed a subcommittee on child care, which I had the privilege to chair with Senator Lorna Marsden, who served as deputy chair. Your subcommittee set to work while the first concerted effort to create a national child care system was under way.

Federal-provincial negotiations had begun. On the table were a national strategy, a product of the Progressive Conservative administration of the time, and a federal initiative to spend up to \$3 billion during the initial 7-year period and up to \$1 billion a year in subsequent years.

The principal interest of our subcommittee was to learn how parents, caregivers and researchers were responding to the plan. Here is what we learned.

Child care workers received the same wage paid to parking attendants and zookeepers. In addition to adequate federal funding, Canadians wanted the federal government to ensure there were standards for good quality care, that caregivers were properly trained and adequately paid, and that services were owned and managed by those who are interested in children rather than profit.

Of course, in November 2005, the first vestiges of a national program became a reality, with the provinces of Manitoba and Ontario concluding five-year funding agreements with the government to do their part in creating a national early learning and child care system. Seven other provinces have signed agreements based on four principles: quality, universality, accessibility and developmental programming. As Quebec has not signed on to the national program, the federal government has signed a five-year agreement to invest in their provincial system, widely considered to be the best in the country.

Honourable senators, we are facing another turning point — whether to abandon the current program in its infancy and replace it with a \$100 monthly cheque sent to parents to spend as they see fit. This is a decision a government will ask us to make.

THE LATE STEVE STAVRO

Hon. Francis William Mahovlich: Honourable senators, I wish to speak today about a great Torontonion and a personal friend of mine who, sadly, passed away this weekend — Mr. Steve Stavro. He immigrated to Canada as Emmanuel Stavroff Sholdas from Macedonia in 1936 at the age of 7 with his family. The family name was changed to Stavro and his first name to a more common one, Steve.

As a young boy, he worked at his father's small grocery store in Toronto, where he learned his now famous work ethic. His father had taught him to listen to customers and respect them. This approach had a strong impact on Steve, as he grew his business of Knob Hill Farms into a multimillion dollar grocery chain, with locations and food terminals throughout much of southwestern Ontario. He maintained the personal side of business based on hard work, honesty, loyalty, personal connections and a handshake.

Steve also had a tremendous love of sports, particularly of soccer, horse racing and hockey. He helped to found and was the President of the Toronto City Soccer Club. In this role, he was instrumental in bringing a number of British soccer players to help the club, including Sir Stanley Matthews, who became a dear friend of mine. In 2005, Steve was inducted into the Canadian Soccer Hall of Fame as a builder.

• (1350)

Following his departure from the soccer world, he became interested in horse racing and breeding. His farm, Knob Hill Stable, became one of the most successful racing stables in the country, winning many races and awards, including Sovereign Awards for Outstanding Owner and Breeder, as well as Horse of the Year for two of his horses.

Steve Stavro is perhaps most well known from his career with the Toronto Maple Leafs. He was a director of the Toronto Maple Leafs in 1981 and became the owner and chairman of the team 10 years later. During the 11 years he was in this role, the Toronto Maple Leafs missed the playoffs only twice. Like all Leafs fans, he was extremely disappointed the Stanley Cup did not return to the team in those 11 years.

It was under his leadership that a number of changes took place for the Toronto Maple Leafs, including the creation of Maple Leaf Sports and Entertainment Limited, as well as the purchases of the Air Canada Centre and the Toronto Raptors basketball team.

Steve passed away on Sunday evening at the age of 78, leaving behind his wife, Sally, their four daughters and nine grandchildren. He will be greatly missed.

NATIONAL VOLUNTEER MONTH

Hon. Catherine S. Callbeck: April 23 to 29 marks National Volunteer Week. During this time, we celebrate the millions of volunteers across the country who do so much for their fellow Canadians, and we recognize the enormous impact that these volunteers have on Canadian society.

It has often been said that “volunteering is the life blood of Canadian communities.” I would firmly agree. Canadians volunteer more than one billion hours a year. That is equivalent to half a million full-time jobs.

Nowhere in Canada is volunteering better demonstrated than in my home province of Prince Edward Island. Islanders have long been recognized for their dedication and hard work in the volunteer sector, generously giving of themselves to create a better quality of life for everyone.

Prince Edward Island's Volunteer Recognition Awards were presented earlier this month to seven very dedicated Islanders. These awards celebrate our province's volunteers, and provide us with an opportunity to pay tribute to them and their good work. This year's recipients were Eileen Chiasson-Pendergast, Jimmy MacAulay, Gayle MacDonald, Katie McInnis, Dolly Perry, Margie Stewart and Gloria Ellsworth. I would like to offer my warmest congratulations to these fine Islanders who have given so much of themselves to improve their communities, their province and their country.

I would also like to thank volunteers across the country for their tireless efforts and tremendous commitment. You share their time and talents, and our entire society is strengthened by the

sharing. Honourable senators, please join with me in recognizing these exceptional Canadians, and their invaluable contributions to our great country.

HONOURING SOLDIERS WHO DIE IN WAR

Hon. John G. Bryden: Honourable senators, I would like to draw your attention to the opinion of Aileen Mathieson, that was reported by Roy MacGregor in today's edition of *The Globe and Mail*.

If Aileen Mathieson — a lifelong Conservative from a military family that goes all the way back to Canada's first overseas action — is representative of Stephen Harper's natural constituency, he has a problem.

“I voted for him,” the 87-year-old air force widow says, “and I am now ashamed to say so. He becomes more... stupid... every day.”

Mr. MacGregor continues:

Her brother, Tim, lies forever young in a Canadian military grave in Holland.... Her husband's father was a highly decorated First World War veteran. She lost her husband, George, in the crash of a Royal Canadian Air Force plane.

“The ninth of December, 1959, at 4:30 in the afternoon,” she says.

The article goes on:

“He was here one day. Then he wasn't. Just that quick. It seemed like a dream to me. I didn't believe it then, you know. I still don't believe it sometimes.”

Later, Mr. MacGregor reports:

This past week, when she heard the news from Afghanistan, she sat down and wept. “I cried for the wives,” she says. “For the families. For the children.”

And then, she says, she began to get angry. She was outraged by the decision not to lower the flag, then infuriated by the media ban that kept her and so many others from, in her words, “paying respect” to the young men who came home.

She has heard all the arguments for and against the lowering of the flag, but dismisses the notion that the honour be reserved, as it was in the past, for Remembrance Day.

“This,” she says, “is a different war. This war is in our face, every single day. There's just no comparison. We turn on the television and it's right there, right in front of you. Four people killed is like a whole regiment being wiped out, the shock is so great. If you're a news person, like I am, you watch it all — and the pain that goes through you is just incredible.”

"The very least they can do is lower the flag for these men."

As for the media accessibility, she says ordinary people do not understand what a comfort it is to feel that others are there and care deeply for you.

When she lost her husband, she says, "There was a sense of the whole country feeling for you."

Ms. Mathieson is quoted further as saying:

"And if you don't think it means something, think again. It does."

The article continues:

The media, she says, would be "absolutely" helpful in being there, so long as the families were comfortable. Such tribute is an honour to the sacrifice of these men. It is not about a "photo op," as the Prime Minister has suggested, but about shared mourning.

Mr. MacGregor concludes by saying:

What matters most, of course, is the end of short lives, but there may well be a far different cost to Stephen Harper, even if so insignificant by comparison.

"Oh honey," Aileen Mathieson adds, as she repeats her vow to never again support the man she helped put in office, "I'm just typical. All my friends will tell you exactly the same thing."

ROUTINE PROCEEDINGS

FISHERIES AND OCEANS

REPORT PURSUANT TO RULE 104 TABLED

Hon. Bill Rompkey: Honourable senators, pursuant to rule 104 of the Rules of the Senate of Canada, I have the honour to table the first report of the Standing Senate Committee on Fisheries and Oceans, which deals with expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 63.)

BANKING, TRADE AND COMMERCE

REPORT PURSUANT TO RULE 104 TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, pursuant to rule 104 of the Rules of the Senate, I have the honour to table the first report of the Standing Senate Committee on Banking, Trade, and Commerce, which deals with the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 64.)

[Translation]

TRANSPORT AND COMMUNICATIONS

REPORT PURSUANT TO RULE 104 TABLED

Hon. Lise Bacon: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Transport and Communications. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 65.)

INTER-PARLIAMENTARY UNION

MEETING OF COMMITTEE ON HUMAN RIGHTS OF PARLIAMENTARIANS, JULY 11-15, 2005— REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 23(6) of the *Rules of the Senate*, I have the honour to table in the Senate, in both official languages, the report of the Canadian delegation of the Canadian Inter-Parliamentary Union group concerning its participation in the meeting of the Committee on the Human Rights of Parliamentarians of the Inter-Parliamentary Union in Geneva, Switzerland, from July 11 to 15, 2005.

SEMINAR FOR MEMBERS OF PARLIAMENT ON THE IMPLEMENTATION OF LEGISLATION ON INDIGENOUS PEOPLES' RIGHTS, JULY 25-26, 2005—REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report by the Canadian delegation of the Canadian group of the Inter-Parliamentary Union regarding participation in the Seminar for Members of Parliament on the Implementation of Legislation on Indigenous Peoples' Rights held in Geneva, Switzerland, on July 25 and 26, 2005.

WORLD CONFERENCE OF SPEAKERS OF PARLIAMENTS, SEPTEMBER 7-9, 2005— REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report by the Canadian delegation of the Canadian group of the Inter-Parliamentary Union on participation in the World Conference of Speakers of Parliaments, held in New York, U.S.A., from September 7 to 9, 2005.

MEETING OF STEERING COMMITTEE OF TWELVE PLUS GROUP, SEPTEMBER 19, 2005—REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report by the Canadian delegation of the Canadian group of the

Inter-Parliamentary Union on participation in the meeting of the Steering Committee of the Twelve Plus Group of the Inter-Parliamentary Union held in Ghent, Belgium, on September 19, 2005.

• (1400)

ONE-HUNDRED THIRTEENTH ASSEMBLY,
OCTOBER 14-19, 2005—REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Canadian group of the Inter-parliamentary Union concerning its participation at the 113th Assembly and related meetings, held in Geneva, October 14 to 19, 2005.

ANNUAL PARLIAMENTARY HEARING
AT THE UNITED NATIONS, OCTOBER 31
TO NOVEMBER 1, 2005—REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Canadian group of the Inter-parliamentary Union concerning its participation at the Annual Parliamentary Hearing at the United Nations, held in New York, October 31 and November 1, 2005.

HONG KONG PARLIAMENTARY CONFERENCE
ON WORLD TRADE ORGANIZATION,
DECEMBER 12-15, 2005—REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation of the Canadian group of the Inter-parliamentary Union concerning its participation at the Hong Kong Parliamentary Conference on the WTO, held on December 12 and 15, 2005.

TRANSPORT AND COMMUNICATIONS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO ENGAGE SERVICES

Hon. Lise Bacon: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Transport and Communications have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Lise Bacon: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Transport and Communications be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO CONTINUE STUDY ON CURRENT STATE
OF CANADIAN MEDIA INDUSTRIES

Hon. Lise Bacon: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(i), I give notice that later today I will move:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on the current state of Canadian media industries, emerging trends and developments in these industries; the media's role, rights, and responsibilities in Canadian society; and current and appropriate future policies relating thereto;

That the Committee submit its final report to the Senate no later than June 30, 2006 and that it retain until July 31, 2006 all powers necessary to publicize its findings; and

That the papers and evidence received and taken and the work accomplished by the Committee on the subject since the Second Session of the Thirty-Seventh Parliament be referred to the Committee.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

On motion of Senator Bacon, motion placed on the Orders of the Day for consideration later this day.

[English]

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO STUDY PRESENT STATE OF DOMESTIC AND
INTERNATIONAL FINANCIAL SYSTEM

Hon. Jeremiah S. Grafstein: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon the present state of the domestic and international financial system; and

That the committee submit its report no later than December 31, 2007.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO ENGAGE SERVICES

Hon. Jeremiah S. Grafstein: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce have power to engage services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO PERMIT ELECTRONIC COVERAGE

Hon. Jeremiah S. Grafstein: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO CONTINUE STUDY ON CONSUMER ISSUES ARISING
IN FINANCIAL SERVICES SECTOR

Hon. Jeremiah S. Grafstein: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report on consumer issues arising in the financial services sector. In particular, the Committee shall be authorized to examine:

- the impact of federal legislation and initiatives designed to protect consumers within the financial services sector;
- the role, corporate governance structure and effectiveness of agencies (including supervisory/regulatory and self-regulating), ombudspersons and others who play a role with respect to consumer protection and the supervision of the financial services sector;
- consumer credit rates and reporting agencies; and
- other related issues;

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament and any other relevant Parliamentary papers and evidence on the said subject be referred to the Committee; and

That the Committee submit its final report no later than June 30, 2006; and

That the Committee retain until July 31, 2006 all powers necessary to publicize its findings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO CONTINUE STUDY ON ISSUES DEALING
WITH DEMOGRAPHIC CHANGE

Hon. Jeremiah S. Grafstein: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report on issues dealing with the demographic change that will occur in Canada within the next two decades; the implications of that change for Canada's economy, labour market and retirement income system; and federal actions that could be taken to ensure that any implications of future demographic change are, to the extent possible, properly addressed;

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament and any other relevant Parliamentary papers and evidence on the said subject be referred to the Committee; and

That the Committee submit its final report no later than June 30, 2006.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO CONTINUE STUDY ON ISSUES DEALING
WITH INTERPROVINCIAL BARRIERS TO TRADE

Hon. Jeremiah S. Grafstein: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report on issues dealing with interprovincial barriers to trade, in particular:

- the interprovincial trade barriers that exist;
- the extent to which interprovincial trade barriers are limiting the growth and profitability of the affected sectors as well as the ability of businesses in affected provinces, jointly and with relevant U.S. states, to form the economic regions that will enhance prosperity; and
- measures that could be taken by the federal and provincial governments to facilitate the elimination of such interprovincial trade barriers in order to enhance trade and develop a national economy; and

That the Committee submit its final report no later than October 31, 2006.

BUSINESS OF THE SENATE

NOTICE OF MOTION TO AUTHORIZE COMMITTEES
TO TABLE REPORTS DURING ADJOURNMENTS
OF THE SENATE

Hon. Michael Kirby: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That during the present session of Parliament, senators be permitted, notwithstanding usual practices, to deposit any

Committee report, except those dealing with bills or estimates, with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.

FISHERIES AND OCEANS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Bill Rompkey: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Fisheries and Oceans be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Bill Rompkey: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Fisheries and Oceans have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

FUNDING FOR TREATMENT OF AUTISM

NOTICE OF INQUIRY

Hon. Jim Munson: Honourable senators, pursuant to rule 57(2), I give notice:

That on Wednesday next, May 3, 2006, I will call the attention of the Senate to the issue of funding for the treatment of autism.

[Translation]

QUESTION PERIOD

INTERNATIONAL TRADE

UNITED STATES—PROPOSED SOFTWOOD LUMBER AGREEMENT—CONSULTATION WITH PROVINCES

Hon. Dan Hays (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate. Media reports say that Canada and the United States have reached a framework agreement on the softwood lumber issue.

[English]

According to Ontario Minister of Natural Resources, David Ramsay, the proposed agreement cheats his province of its traditional fair share of sales in the U.S. Mr. Ramsay added that, unless it is fixed, the pact will lead to more mill closings and job losses in Ontario's hard-hit forest industry. His angry comment was, "We've been short-changed and we won't stand for it."

In Quebec, the President of the Saguenay-Lac-Saint-Jean Independent Sawmills Association, Marc Dubé, refuses to take any comfort from the announcement of this possible agreement. These are typical of comments made by the various stakeholders across the country.

When the Conservative Party of Canada was the official opposition, the party's articulated position was that Canada should insist that the U.S. respect NAFTA rulings favourable to Canada, that the government settle for nothing less than full compliance and that we go as far as to refuse any further negotiation.

Has the Conservative Party's position really changed? If so, why?

• (1410)

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the news stories are changing almost by the minute. As a matter of fact, when I read *The Globe and Mail* this morning I got one distinct impression of the softwood lumber agreement and then when I read the *National Post* there was a completely different set of stories about it.

Suffice to say that since the summit in Cancun which was attended by President Fox, President Bush and Prime Minister Harper, the U.S. government and Canadian government officials headed by Ambassador Michael Wilson have been in discussion with the industries on both sides of the border. A tentative framework was agreed upon. The agreement is designed to ensure U.S. market access and to protect Canadian market share, to eliminate punitive duties, to bring stability to the industry and, most significant, to return at least 80 per cent of the duties collected by the United States to the Canadian industry.

If the deal were in place right now, given current lumber prices, Canadian exporters would face no restrictions on their sales into the United States, no volume restrictions and no export charges.

Senator Hays: Honourable senators, on the theme of changing stories, it is my recollection that David Emerson, the former Minister of Industry in the previous government, announced on behalf of an important constituency of his that a similar agreement was turned down. Would the minister comment, if she can, on what has changed in terms of that comment and today's stories in the newspapers?

Senator LeBreton: Honourable senators, I do not think that Minister Emerson made any such announcement. Either during or after the election I saw media speculation to that effect. However, I do not believe there was any announcement by Minister Emerson last fall.

Hon. Jack Austin: Honourable senators, I would like to pursue the issue of softwood lumber and the information, if that is what it is, in the newspapers and on TV with respect to an agreement in principle between Canada and the United States.

During the first round of talks on softwood lumber, in 1983, the portfolio was my responsibility. That was when the so-called fair trade group in the United States began its actions.

I also recall that the Honourable Senator Carney was Minister for International Trade during a subsequent and, I might add, more difficult softwood lumber round. As I am sure she will tell honourable senators, an agreement involving an export tax was entered into at that time.

The problem that both Senator Carney and I faced was that this issue was one of shared jurisdiction. The provinces oversee the forests while the federal government has responsibility for international trade. I believe that during her term as minister, and certainly in mine during the Trudeau and Martin eras, the most difficult aspects of negotiation and balance had to be followed. That is to say the federal government had to deal with all the provinces to find balance as well as with the industries across the country; it was a triangle. The Canadian triangle then faced a similar triangle in the United States among the administration, the Congress and their industry.

What appears to be the case here is an attempt by the Harper government to create a *fait accompli* in terms of this agreement. The Ontario representative has said they were not consulted. I understand the same is true of other provinces. That is to say, an agreement in principle was initialled and the provinces were not consulted before the initialling. In other words, the Harper government is not playing the federal-provincial game that it says it wants to play. It is not taking the provinces into account in the way it says it intends to take them into account.

I would like the minister to give us the correct version, if there is a different version, on this simple issue: Were the provinces consulted in advance of the initialling of whatever was entered into by the Harper government as an agreement in principle?

Senator LeBreton: Honourable senators, far be it from me to purport to be an expert on this issue when I am dealing with Senator Austin, who is a former minister from British Columbia, and Senator Carney, who certainly worked hard on this file.

With regard to the provinces, we have been consulting with all the provinces involved in the softwood lumber dispute and with all Canadian industries throughout the whole process.

Senator Austin: Can the minister tell us whether what the Ontario representative was quoted in the press today as having said is true, that is, that they were not consulted and it was presented as a *fait accompli*, something I have heard privately with respect to one other province? Does the minister have information on that subject? If she does not, will she undertake to give us that information expeditiously?

Senator LeBreton: Honourable senators, far be it from me to respond to information that appears in the media without checking to ensure its accuracy. I will undertake to do that.

[Translation]

Hon. Francis Fox: Honourable senators, my question is for the Leader of the Government in the Senate and pertains to the proposed settlement of the softwood lumber dispute.

Can the minister tell us why, out of the \$5.3 billion in countervailing duties — or should I say punitive duties — that the Americans levied on the Canadian industry, only \$4 billion will be returned to Canadian producers? Has the new government accepted a new principle that the party that lost nearly all the international rulings gets to keep the jackpot?

[English]

Senator LeBreton: I thank the Honourable Senator Fox for his question. I understand this was part of the negotiated settlement. However, I will endeavour to get the definitive reasoning from those who were doing the negotiating as to why the 80 per cent figure was decided upon.

[Translation]

Senator Fox: I have a supplementary question. I would like to ask the Leader of the Government in the Senate, when she provides us with an answer, to tell us whether, in fact, the Americans have seized an amount. I would like the government to explain to us why it decided to subsidize the softwood lumber industry in the United States so that it can modernize using money from the Canadian industry.

[English]

Senator LeBreton: Honourable senators, that is absolutely right. As I am not a trade negotiator, I will take notice of the honourable senator's question. I have not been at the table. This situation is evolving as we speak. I will be happy to bring the honourable senator answers to his questions.

Hon. Pat Carney: Honourable senators, I would like to ask a supplementary question on this topic. I wish to establish for the record that when I was Minister Responsible for International Trade my officials and I imposed a 15 per cent export tax. There were no quotas; there was just a tax at the border. Every dime of that tax went back to the provincial treasuries in the form of revenue. That was considered the best of difficult settlements that have been accomplished.

The Leader of the Government in the Senate has muddied the waters somewhat by referring to an agreement in principle and then talking about an agreement that has been concluded. At a briefing this morning we were informed that, in fact, an agreement has not been concluded. Would the minister please tell us exactly what the status of the agreement is? Have the provinces which are the owners of the forest, as Senator Austin said, signed on to this agreement?

Senator LeBreton: Honourable senators, the Honourable Senator Carney was probably at a meeting at which I was not present. Therefore I will seek to clarify that point.

• (1420)

UNITED STATES—PROPOSED SOFTWOOD LUMBER
AGREEMENT—EFFECT ON NORTH AMERICAN
FREE TRADE AGREEMENT

Hon. Grant Mitchell: Honourable senators, anyone who considers that Prime Minister Harper cannot build a consensus is dead wrong because he has figured out how to get everybody rallying against him on the softwood lumber deal. The situation is all the more galling because the Conservative Party and this Prime Minister have professed a profound belief in free trade, yet they have completely capitulated to the United States by negotiating a softwood lumber deal replete with quotas, export taxes and managed trade. The Prime Minister's party was clear in the past when it said that it wanted free trade on lumber.

Does the government not understand that this agreement represents a complete abandonment of NAFTA and that the agreement sets the precedent that U.S. industry can get NAFTA set aside any time it does not get what it wants under NAFTA?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, my answer to that question is short: I do not accept that premise at all.

[Translation]

UNITED STATES—PROPOSED SOFTWOOD LUMBER
AGREEMENT—INVOLVEMENT
OF MARITIME PROVINCES

Hon. Pierrette Ringuette: My question is for the Leader of the Government in the Senate. I am told that the Atlantic provinces and the Maritime Lumber Bureau were not invited to Washington. Four provinces of this country were not invited, but the others were. Can the minister confirm this information?

[English]

Hon. Marjory LeBreton (Leader of the Government): My understanding, honourable senators, and I shall confirm it for the senator, is that the Atlantic provinces were exempt from this agreement.

Senator Ringuette: Is the government leader confirming that her government will preserve the historic exemption for the Maritime provinces in regard to softwood lumber, on all issues?

Senator LeBreton: Honourable senators, I will not go so far as to say on all issues. That is my understanding — however, I am not a trade negotiator. I shall confirm that answer to the senator at the appropriate time.

[Translation]

THE ENVIRONMENT

CLIMATE CHANGE—EFFECT ON THE ECONOMY

Hon. Madeleine Plamondon: Honourable senators, my question is for the Leader of the Government in the Senate. Climate change has been making headlines daily and has resulted in natural

disasters and drought. One of the proposed experimental solutions deserves our attention in particular. I am talking about weather modification, which creates clouds and generates rain for regions affected by drought or for places like Alberta that have to deal with devastating hail.

My question is the following: Has Canada assessed the impact on the Canadian economy of weather modification, which is currently being practiced in a number of the U.S. states?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the Government of Canada is aware that the U.S. Congress is currently considering legislation on weather modification. Despite the alleged possibilities that were contained in some of the articles that the honourable senator gave me, weather modification is still considered experimental at best and continues to be debated in the scientific community. Given that weather modification remains unproven scientifically, it is difficult to determine the economic impact of such an activity locally, let alone internationally.

CLIMATE CHANGE—
NEGOTIATIONS WITH UNITED STATES

Hon. Madeleine Plamondon: Honourable senators, last December, the reputable U.S. Office of Science and Technology Policy listed a host of political and legal issues in a letter to a U.S. senator. The office also warned of international and foreign policy implications, stating that small- and large-scale weather modifications could benefit the U.S. to the detriment of other countries, namely, Canada.

Have there been talks between Canada and the United States about the consequences of weather modifications even with peaceful purposes? In fact, who owns the weather? Does one country own the weather? Could one country or one province, using weather modification, be the subject of litigation for authorizing weather modification to the detriment of another area? Does Canada have a policy?

Hon. Marjory LeBreton (Leader of the Government): There is in Canada a federal Weather Modification Information Act administered by the Minister of the Environment. The Minister of the Environment has expressed concerns to the U.S. environmental people about chemicals in the environment, for instance. There is no licence involved and no authority to stop this activity at the moment.

With respect to the question about who owns the weather, we have been through this before with the acid rain treaty, and we successfully negotiated a treaty with the United States.

This issue is complex. As I mentioned earlier, scientists are still not in total agreement about the impacts on weather. I have read the letter sent to me by the honourable senator. Given that some people in the United States believe they have more jurisdiction over it than perhaps we do, I can say with certainty that our Minister of the Environment is making a very strong case for Canada in this area.

Hon. Daniel Hays (Leader of the Opposition): I have a supplementary question. The government's position is that it does not accept the conclusion of many scientists that greenhouse gases are causing global warming or the greenhouse gas effect. In other words, the position of the government of the day is identical to that of the current Government of the United States.

Do I correctly understand the minister's response to Senator Plamondon's question?

Senator LeBreton: I did not say that at all. I am saying that scientists are not in agreement. The Government of Canada is aware that the U.S. Congress is considering legislation on weather modification, but there is still some debate in the scientific community. I am not saying that we agree with either side of that debate. I personally believe that greenhouse gases have an impact.

Our Minister of the Environment is meeting with U.S. officials. The Mulroney government's record on issues of the environment stands tall. I do not want to leave the impression that this government will not continue to fight for our own environmental concerns.

Senator Hays: Honourable senators, I would ask the minister to bring back to this place a more precise statement on this subject. I am still a little bit uncertain as to whether there is a change in the position of the new government, led by Prime Minister Harper, as compared to the position of the previous government.

I should like to know whether there is a change in the government's position. I would appreciate an official clarification. It seems to be hinted in the government leader's response that there are scientists who disagree with the idea of greenhouse gases causing the global warming phenomenon.

Senator LeBreton: I shall bring back clarification. However, it is clear from events last week and from meetings the Minister of the Environment has had with United States officials that we believe this to be a serious issue.

The previous government has a record that is not to be boasted about or to be proud of, and I will bring back clarification from the Minister of the Environment on our latest negotiations on this front.

• (1430)

Senator Plamondon: I believe there was an agreement around 1978 or 1980 not to use weather modifications for war purposes because it is a very powerful weapon. It can be used to hinder communications. It can be used for many things. The bill being discussed in the United States is important, as it has implications, economic and otherwise, for Canada.

During my research on fresh water, as senators can see in the letter, I learned that weather modifications can affect the availability of water resources.

Before it is too late, I thought it would be wise to have talks with the U.S. government to determine the possible impact of what they are doing. A few states are using weather modification right now: Idaho, Utah, Nevada, California and Colorado. I believe that there could be implications for Canada.

Senator LeBreton: I will take that question as notice. I could not agree more. Weather modification could have serious implications for Canada. I will ask that the appropriate people let us know, from their knowledge, the state of the legislation in the United States.

PUBLIC WORKS AND GOVERNMENT SERVICES

PRIORITY OF ENVIRONMENTAL PROGRAMS— DEPARTMENTAL AND CROWN CORPORATION EXEMPTIONS FROM ALTERNATIVE FUELS ACT

Hon. Tommy Banks: Honourable senators, I will stay for a moment on questions concerning ecology and the environment. I will address my question, if I may, to the Minister of Public Works and Government Services.

The minister responded to a question that I had asked him on April 6 that it would be irresponsible for the government, any government — and I concur with him, given the state of things now — to not think about greening efforts and to not focus on those efforts. I was glad to hear the minister say that, but those efforts are not referred to anywhere in the five priorities of the government, with which we are all familiar. The environment is glaringly absent from those priorities.

First, can the minister tell us where the environment is in the list of priorities, since the government has enumerated its priorities with numbers? Is the environment number 6 or number 15 or number 102?

The second part of my question derives directly from the minister's answer on April 6, in which he said he was pursuing the purchase of hybrid vehicles, for example. This question is of particular interest to senators, since the Alternative Fuels Act, which I believe was authored by Senator Kenny and originated in this place, contains requirements that would oblige the government and Crown corporations to have achieved, by 1997, a 50 per cent use of alternative fuels and a 50 per cent purchase of hybrid vehicles; and, by 1999, a 75 per cent use of alternative fuels and purchase of hybrid vehicles, always where practicable and where it will work. Can the minister tell us how far along we are in reaching those percentages?

That same bill provides that the Treasury Board may, by order, exclude any Crown corporation from the application of that act. Which, if any, Crown corporations have been exempted by the Treasury Board from that act?

The minister may wish to respond later regarding the percentages, but perhaps he can tell us where the environment is on the priority list of the government.

Hon. Michael Fortier (Minister of Public Works and Government Services): As honourable senators know, I have been waiting several weeks for one of these questions, and so I will try to meet the challenge.

With respect to greening, as I indicated to the senator a few weeks ago, the greening policy is within Public Works. It is a policy and a program that makes a lot of sense to me and to everyone here in Ottawa, in the sense that because of the money we spend on procurement generally, we must be much wiser in terms of energy costs in buildings, for example.

Senator Banks refers to automobiles. As we purchase replacement automobiles, the new ones are obviously environmentally friendly in the sense that they are hybrid vehicles.

In terms of the percentage of vehicles that comprise the fleet, I do not have that specific answer. However, I can tell the honourable senator that it is automatic. Every time an automobile is purchased to replace an existing one, it is a hybrid automobile.

There were many parts to the question, and I apologize if I may have missed some.

Senator Banks: I have no additional question, but I will again ask the minister if he could ascertain whether the Treasury Board has exempted any Crown corporations from the application of that act, and whether he is able to tell us what percentage of fuel consumed by government and Crown corporation fleets is now alternative fuels, by which I mean to include 90 per cent ethanol fuel, for example. Almost all automobiles purchased since 1995, of any make, have been able to operate efficiently and effectively on 90 per cent alternative fuels without the slightest change to carburetors. We were aiming at 75 per cent a few years ago, and I would like to know how close we are to that goal.

My first question was this: Since the government has chosen to number its priorities, what number is the environment?

Senator Fortier: I want to reaffirm that with respect to the procurement program at Public Works, the greening initiative is there to remain. Therefore, with respect to Public Works, it is clearly a priority and shall remain so under this government.

I will also address the other issues with respect to Crown corporations and the percentage of fuel, but I will have to get back to the honourable senator because I do not have the specific answers at this moment.

[Translation]

VEHICLES OF MINISTERS ON ALTERNATIVE FUELS

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I would also like you to provide us with the specific details on the famous exceptions.

This week the media published the list of cars used by cabinet members. I believe that your official car is a hybrid vehicle, but if my memory serves me correctly, most of cars used by the ministers are not environmentally friendly.

I do not know whether the mandate of your department applies to cabinet or not, but I would like to know who is in charge of buying these cars and why the cabinet members are not setting an example for the country? How can we justify that only one minister's car is environmentally friendly?

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I want to thank the honourable senator for her question. First, she will notice that this article also mentioned the fact that, since the size of cabinet has been reduced considerably, there are 13 fewer vehicles. I think the environment benefits from that. I want to add one very important point.

As for the replacement of the vehicles, as I indicated to honourable senators, the vehicle replacement policy is quite clear: the new vehicles that are being bought are hybrid. Thus, the reason why some vehicles are not hybrid is that they still have a useful life, and when it is exceeded, they will be replaced with hybrid vehicles.

DELAYED ANSWER TO ORAL QUESTION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting the delayed answer to a question raised in the Senate on April 6, 2006 by the Honourable Senator Fairbairn regarding the farm income crisis and disaster relief.

AGRICULTURE AND AGRI-FOOD

FARM INCOME CRISIS AND DISASTER RELIEF

(Response to question raised by Hon. Joyce Fairbairn on April 6, 2006)

This government provides ongoing programming which will assist producers with their cash-flow needs for spring seeding.

The federal Spring Credit Advance Program provides interest-free loans of up to \$50,000 to provide producers with funding for spring seeding. \$650 million is expected to be loaned to producers under this program in 2006. A first installment of 60 per cent was made available in March based on intended crop insurance acreage and a final installment will be made after a producer's seeded acres are declared.

We have also, as a new government, accelerated payments under the Grains and Oilseeds Payment Program. Cheques began to be mailed to producers on February 10 and, as of mid-April, \$470 million has been paid to over 88,100 producers and another \$39 million has been transferred to Quebec for payments to farmers in that province.

CAIS continues to operate for 2006 and payments are currently being made for the 2004 and 2005 program years. Since early January \$440 million has been paid out nationally under the program. Producers may also take advantage of interim payments to get some of their 2006 CAIS payment early. The federal government is also working with stakeholders to replace CAIS with programming that better suits the needs of producers.

Payments are also flowing to producers under Production Insurance, which protects producers against crop losses related to specific perils. Since early January \$320 million in indemnities have been paid to producers for the 2005 crop year.

These are payments which have gone out since early January 2006 and payments under these programs will continue flow in the coming weeks. I am confident that this money will help producers with their seeding costs this spring.

Finally, in the recent election, this government promised to commit an additional \$500 million annually to support agriculture. Details on the use of these funds will be provided later.

• (1440)

POINT OF ORDER

Hon. Eymard G. Corbin: Honourable senators, two days ago, while Senator Ringuette was giving her speech, numerous electronic interruptions were caused by those devices called BlackBerries. I do not own one, but I know that such devices have been extremely distracting during Senate proceedings in recent years, when our colleagues are speaking. The Speaker *pro tempore* that day, Senator Losier-Cool, indicated that you, Mr. Speaker, had yourself noted this kind of interference during our proceedings and would probably have a statement to make on the matter.

Without anticipating your position, if indeed you intend to be speaking on this matter, I would appreciate it. If not, I would ask that you make a statement to the effect that the *Rules of the Senate* will be strictly enforced to ensure that honourable senators who have the floor can have the undivided attention of their colleagues.

[English]

Hon. Terry M. Mercer: On this point, honourable senators, while I appreciate what the good senator is concerned with, we are going at it in the wrong direction. The technology provided for us through our budgets is there to help us to become more effective and efficient as senators and representatives of the regions we are appointed to represent. I would suggest that we be not banned from using BlackBerries in this chamber, but instead that we ask the administration of the Senate to examine the possibility of obtaining the proper filters for the chamber to eliminate the interference with the sound system. If the interference were removed, then the irritant would be eliminated. Senators who are addicted to the use of BlackBerries use them quite frequently.

Honourable senators, during my time in this chamber, I have never seen a report from the Senate administration advising senators whether this is possible. I am told by friends who are more technologically advanced than I am that these devices would create no interruption in the chamber's sound system. At the same time, those senators who choose to operate BlackBerries while in

the Senate would be able to do so. I would appreciate a further examination of the matter by the Speaker of the Senate before a ruling is made.

Hon. Percy Downe: Senator Mercer makes a valid point, but I disagree with him. The *Rules of the Senate* are clear in that no electronic device that produces any sound can be brought into the chamber. Some senators with hearing problems have to listen to the proceedings with the aid of ear plugs. The other day, there were at least six buzzing noises in my ear. A senator was making a speech that was particularly important for those of us from Atlantic Canada, and it was interrupted on a continuous basis. Not only is the interference disruptive, but it is also disrespectful to the person speaking.

Hon. Hugh Segal: Honourable senators, the only representation I would make on this point to the Speaker of the Senate as he sorts his way through this issue is that the Conservative caucus has ruled that those devices are not acceptable in caucus. They are left outside in the reading room with staff who put them in envelopes that can be claimed on the way out. Certainly, should it be the wish of the Senate, Legislative Services could accommodate senators in such a fashion so that the *Rules of the Senate* are maintained and senators may speak without interruption.

Hon. Sharon Carstairs: Honourable senators, like Senator Downe, I have a hearing problem and wear double hearing aids. When that buzzer goes off in my ear, it goes right through my spine. I use my BlackBerry a great deal. My office is in the East Block and some senators' offices are in the Victoria Building. We do not have easy access to our offices. Can we prevent the noise? That is the purpose of the Speaker's ruling. If we cannot have noise in the chamber, then we can all live with it. I have sat in the chair that the Honourable Government Leader is sitting in now and there were times in debate when it was necessary for me to be in contact with my office because handwritten notes do not always work. It would be very handy to continue obtaining up-to-date information on a moment's notice with the use of BlackBerries or computers if we could make them soundless. It is the sound that is annoying, so if that could be eliminated then the problem would be solved. I do not know whether such filters exist but perhaps that could be looked into with a mind to a solution that would make everyone happy.

Hon. George Baker: During Your Honour's investigation into the matter, could you give the house a decision with some specificity as to the meaning of the rule that the Speaker has quoted on occasion prior to this day? It is the understanding of senators that a certain make and kind of BlackBerry is the problem, and not all personal handheld devices. Would Your Honour, in using the standard rules of interpretation, look at the wording in the rules and give us some definitive identification of the kinds of instruments that are not allowed?

Hon. Bill Rompkey: Your Honour, I agree with Senator Carstairs that the instrument is a useful tool for senators in the chamber, particularly when the need arises to contact one's office quickly. I find it extremely useful.

Before Your Honour makes his ruling, I would like you to determine exactly the points that Senator Baker raised as to whether it is the function of the particular kind of instrument. I use the Bell system because Rogers does not work

in Labrador and when there, I like to receive my email. Without making a pitch for either company, I do not think that Bell causes such a problem, although I may be corrected on that. I would like Your Honour to take that into consideration before making a determination. If honourable senators with a particular BlackBerry are not part of the problem, they should not be penalized.

Hon. Consiglio Di Nino: Would Your Honour consider extending your determination to include committee meetings as well, in particular those held in camera? I understand that the transmission of BlackBerries can pick up the conversation at a meeting. I am not an expert in these matters, but perhaps consideration of the use of these devices in committee, in particular in camera meetings, could be included in Your Honour's determination of the matter.

• (1450)

Hon. Anne C. Cools: Honourable senators, I should like to add a few words to this debate. It seems to me that the question that is being put to His Honour is far more complex than simply the question of disturbance and noise making.

I should like to remind honourable senators that both Houses of Parliament are very jealous of what one might call control over the broadcasting and the recording of proceedings. Once we get into decisions about which devices would be allowed and which ones would not, we would open up a huge can of worms. All the security people tell us that these cell phones, BlackBerries, et cetera are capable of transmission to the outside. I do not know the language of radio and telecommunications. However, we would put His Honour in a position where he would have to decide that this one device is allowed and that one is not.

For example, Your Honour, I am not very sympathetic to the Senate government leaders, who when being asked questions on the floor of the chamber, wish to have the information and answers piped in to them from their offices or from the minister's office. I find that undesirable and, quite frankly, improper. For that matter, Your Honour, you could be set up with a computer and someone could sit here at the table and type to you what you should be saying. I find that this whole thing is the sort situation that could get out of hand very quickly. The example Senator Carstairs used from when she was government leader is a BlackBerry. I submit to Your Honour that she could easily make the same argument for the use of a personal computer right here on her desk by which, not only her office, but the Prime Minister's Office or the departmental staff could have typed answers to her that she would have received instantaneously. This is quite a huge matter and far more complex than we are making it out to be.

Honourable senators, I hope that we never see a day where anyone in this house will be receiving information piped in as they are speaking without being able to guarantee that those words are their own. At some time we should have a debate in this house as to at what point is a speech no longer the senator's own speech. We have had situations in this chamber where senators have observed as other senators were speaking, particularly the leadership, that the speeches were identical to those given in the House of Commons.

Your Honour, I think the request is out of order that BlackBerries here should be made a norm, that senators would be capable of receiving information, essentially through the means of telecommunications equipment, while other senators would not be in a position to respond to the new information.

The Brits have rules about the reading of speeches. Honourable senators, a lot of problems would be ruled right out if more senators actually had to think carefully and clearly about the speeches they give and, in point of fact, actually wrote their speeches.

What I am trying to say, Your Honour, is that much of this question before us is beyond the particular question of order and discomfort and the disruption caused. Much of this goes to the whole phenomena of a house's control over its own proceedings and the limitation and the control of broadcasts outside of the house.

[Translation]

Hon. Jean Lapointe: Honourable senators, I humbly suggest that you consult Senator Plamondon who explained to me yesterday, as two honourable senators were saying a few moments ago, that there are different types of BlackBerry. Some models do not cause any problems. However, there is one in particular that does. Unfortunately I do not know the exact make or model.

I myself do not use a BlackBerry. That being said, I fully agree with the honourable senator who said earlier that this tool should be banned in committee rooms.

How many times, when I faithfully attend caucus meetings, have I heard of incidents where certain information has been leaked. As soon as the person or minister leaves caucus, they are asked a question on what was said in the meeting when that information should have been kept secret.

Accordingly, I suggest that we ban the use of BlackBerries in all committees. Anyone wanting to use this device is free to leave it at their office and check their messages later.

I appreciate that such a tool could be quite useful in the Senate. However, we need to choose the model that best suits our work.

[English]

The Hon. the Speaker: Honourable senators, I will be happy to try to be of service to the chamber. I should like to consult with many of the honourable senators. In the meantime, I would urge upon the house that we try to respect the letter of rule 19(4):

No person, nor any Senator, shall bring any electronic device which produces any sound, whether for personal communication or other use into the Senate Chamber, whether on the floor, inside the Bar, outside the Bar or in the galleries...

Honourable senators, until such time that the Rules Committee and the chamber change that rule, that is the rule of the Senate.

I will add a footnote: Having read the Hansard from the other day, Senator Lapointe is quite right. There is one instrument that transmits via satellite, and it overrides everything, including the computer in your own office. Often you will hear, if you are using that system, the static coming on your computer in your own office. It is a reality. It is a problem, and we do have a rule. I think even if one had that type of machine and turned it off, it is still problematic.

There is the rule, honourable senators. Let us try to respect that rule as much as we can.

To be of service to the house, I welcome the opportunity to have a little time so I can consult with as many honourable senators as I can. If anyone would like to send me material so that we might come up with a proposal that we could refer to the Rules Committee, I welcome that.

[Translation]

LIBRARY OF PARLIAMENT SCRUTINY OF REGULATIONS

MEMBERSHIP OF JOINT COMMITTEES— MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that the following message had been received from the House of Commons:

Ordered,—That the Standing Joint Committees be composed of the Members listed below:

Library of Parliament

Members (12): Mike Allen, Gérard Asselin, Colleen Beaumier, Blaine Calkins, Joe Comuzzi, Peter Goldring, Gurbax Malhi, Fabian Manning, Jim Peterson, Louis Plamondon, Denise Savoie, Bruce Stanton

Associate Members: Jim Abbott, Diane Ablonczy, Harold Albrecht, Dean Allison, Rob Anders, David Anderson, Vivian Barbot, Dave Batters, Carolyn Bennett, Leon Benoit, James Bezan, Steven Blaney, Sylvie Boucher, Garry Breitkreuz, Gord Brown, Patrick Brown, Rod Bruinooog, Ron Cannan, Colin Carrie, Bill Casey, Rick Casson, John Cummins, Patricia Davidson, Dean Del Mastro, Barry Devolin, Paul Dewar, Norman Doyle, Rick Dykstra, Ken Epp, Ed Fast, Brian Fitzpatrick, Steven Fletcher, Cheryl Gallant, Gary Goodyear, Jacques Gourde, Nina Grewal, Helena Guergis, Art Hanger, Richard Harris, Luc Harvey, Laurie Hawn, Russ Hiebert, Jay Hill, Betty Hinton, Charles Hubbard, Rahim Jaffer, Brian Jean, Randy Kamp, Gerald Keddy, Jason Kenney, Ed Komarnicki, Maka Kotto, Daryl Kramp, Mike Lake, Guy Lauzon, Pierre Lemieux, Tom Lukiwski, James Lunney, Lawrence MacAulay, Dave MacKenzie, Inky Mark, Colin Mayes, Ted Menzies, Rob Merrifield, Larry Miller, Bob Mills, James Moore, Rob Moore, Rick Norlock, Deepak Obhrai, Brian Pallister, Christian Paradis, Daniel Petit, Pierre Poilievre, Joe Preston, James Rajotte, Scott Reid, Lee Richardson, Gerry Ritz, Gary Schellenberger, Bev Shipley, Joy Smith, Kevin Sorenson, Brian Storseth, David Sweet, Myron Thompson, David Tilson, Bradley Trost, Garth Turner, Merv Tweed, Dave Van Kesteren, Peter Van Loan, Maurice Vellacott, Mike Wallace, Mark Warawa, Chris Warkentin, Jeff Watson, John Williams, Lynne Yelich

Scrutiny of Regulations

Members (12): Robert Bouchard, Ron Cannan, Dean Del Mastro, Paul Dewar, Ken Epp, Monique Guay, Derek Lee, Brian Murphy, Rick Norlock, Paul Szabo, Garth Turner, Tom Wappel

Associate Members: Jim Abbott, Diane Ablonczy, Harold Albrecht, Mike Allen, Dean Allison, Rob Anders, David Anderson, Dave Batters, Leon Benoit, James Bezan, Steven Blaney, Sylvie Boucher, Garry Breitkreuz, Gord Brown, Patrick Brown, Rod Bruinooog, Blaine Calkins, Colin Carrie, Bill Casey, Rick Casson, John Cummins, Patricia Davidson, Barry Devolin, Norman Doyle, Rick Dykstra, Ed Fast, Brian Fitzpatrick, Steven Fletcher, Cheryl Gallant, Peter Goldring, Gary Goodyear, Jacques Gourde, Nina Grewal, Helena Guergis, Art Hanger, Richard Harris, Luc Harvey, Laurie Hawn, Russ Hiebert, Jay Hill, Betty Hinton, Rahim Jaffer, Brian Jean, Randy Kamp, Gerald Keddy, Jason Kenney, Ed Komarnicki, Daryl Kramp, Mario Laframboise, Mike Lake, Guy Lauzon, Pierre Lemieux, Tom Lukiwski, James Lunney, Dave MacKenzie, Fabian Manning, Inky Mark, Pat Martin, Colin Mayes, Réal Ménard, Serge Ménard, Ted Menzies, Rob Merrifield, Larry Miller, Bob Mills, James Moore, Rob Moore, Deepak Obhrai, Brian Pallister, Christian Paradis, Daniel Petit, Pierre Poilievre, Joe Preston, James Rajotte, Scott Reid, Lee Richardson, Gerry Ritz, Gary Schellenberger, Judy Sgro, Bev Shipley, Joy Smith, Kevin Sorenson, Bruce Stanton, Brian Storseth, David Sweet, Myron Thompson, David Tilson, Bradley Trost, Merv Tweed, Dave Van Kesteren, Peter Van Loan, Maurice Vellacott, Mike Wallace, Mark Warawa, Chris Warkentin, Judy Wasylycia-Leis, Jeff Watson, John Williams, Lynne Yelich

That a message be sent to the Senate to acquaint their Honours of the names of the Members to serve on behalf of this House on the Standing Joint Committees.

ATTEST:

AUDREY O'BRIEN
The Clerk of the House of Commons

ORDERS OF THE DAY

NATIONAL DEFENCE ACT CRIMINAL CODE SEX OFFENDER INFORMATION REGISTRATION ACT CRIMINAL RECORDS ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Pierre Claude Nolin moved that Bill S-3 to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act, be read the second time.

He said: Honourable senators, it is with pleasure that I support, on behalf of the Minister of National Defence, the introduction of the bill to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act.

The main purpose of this bill is to modify the National Defence Act to apply the registration scheme contained in the Sex Offender Information Registration Act to the military justice system.

The bill will harmonize the military justice system with the Criminal Code and the Sex Offender Information Registration Act, while accommodating the unique nature of the operational requirements of the Canadian Forces. This system will therefore continue to operate in accordance with Canadian legal standards.

The bill also makes certain amendments to the Criminal Code and the Sex Offender Information Registration Act to enhance the administration and implementation of the sex offender database.

• (1500)

[English]

Honourable senators, some of you may recall that a bill on this topic was introduced in this chamber during the last session of Parliament. Our Standing Senate Committee on Legal and Constitutional Affairs was reviewing it when Parliament was dissolved.

[Translation]

Although this bill resembles the previous one, it includes certain changes that I would like to share with you today.

First, I think it would be useful, for honourable senators who may not be familiar with the sex offender registration process, to explain how the current civilian system works.

Let us look briefly at the existing registration system under the Sex Offender Information Registration Act.

Both this system and the national sex offender database were established when the Sex Offender Information Registration Act and certain provisions of the Criminal Code came into force on December 15, 2004.

As a brief reminder, the purpose of the national sex offender database is not to penalize offenders twice — and we debated this and took a long look at this facet of the new mechanism when the bill creating the civilian database was implemented — but to provide the police with a new investigative tool that they can use to quickly obtain information on convicted sex offenders. The database helps the police investigate sexual offences by making it easier to identify possible suspects who live in the area where an offence has occurred.

Under this system, a criminal court judge can order convicted sex offenders to report to the police every year and provide specific personal information, which is then entered in the

national database. This procedure can also apply retroactively — another element that our legal and constitutional affairs committee examined at length — to sex offenders who were serving a sentence for a given sexual offence when the Sex Offender Information Registration Act came into force.

This means, honourable senators, that for a year after the act came into force, the authorities could contact individuals who had been convicted and were serving their sentence or even on parole and make sure they complied with the act, and this was done until last December.

I must explain that after being convicted of a sexual offence, an individual is not automatically required to register in the national database. The registration order is issued only after a special hearing, following the trial, at which the offender has the right to contest the order.

To be relieved of the obligation to register, the offender must prove that the consequences for the offender are highly disproportionate, compared to the public policy objective of protecting society through effective investigations of crimes of a sexual nature.

Furthermore, once the order has been made, the offender is still entitled to appeal the decision. However, once a sexual offender is registered in the database, he is subject to registration requirements under the Sex Offender Information Registration Act for a given duration, unless a termination order is approved. The duration is set according to the type of offence of which the offender was found guilty. The longer the sentence for the offence, the longer the duration of the registration.

Only the police — and this is important and what distinguishes us from the Americans — investigating sexual offences have access to the information in the database on sexual offenders.

There was no question, and our committee was especially vigilant, of setting up a whole system of posters and identification on the Internet. That would not have been the Canadian way. The system is very restrictive and works.

Let us now examine the amendments to the National Defence Act. As I mentioned at the outset, the idea, now that we have a civilian mechanism, was to adapt the legislative system to include the military.

Honourable senators, when I speak of designated offences, I refer to a series of sexual offences which are included and which give rise to the legislation. When military personnel are found guilty of a designated offence, they cannot be ordered to comply with the Sex Offender Information Registration Act. Accordingly, information on them is not recorded in the database and cannot be consulted by police investigators.

Honourable senators, I am sure everyone will agree that it is in the public interest to create a framework under which all offenders, civilian or military, convicted of a designated offence will be registered in the national sexual offender database.

This is what the proposed amendments will permit, while ensuring that the system of military justice continues to meet current Canadian legal standards, standards that are both strict and highly efficacious.

The amendments we are debating today will: make it possible to order individuals found guilty by court martial of a sexual offence to register in the database; make the obligation ordered by a court martial to register and report to the police similar to the obligation ordered by a civilian court of justice; and finally, make it possible to require individuals already convicted of a sexual offence when the amendments come into force to register as well, as was the case for civilians with the national database.

[English]

Several specific mechanisms are included in the bill to help accommodate the military's unique operational requirements.

[Translation]

For example, the bill grants authorization to set up registration centres for Canadian Forces members in and outside Canada, and provisions to allow reporting to registration centres in Canada from a distance; for example, while on exercise or at sea. It would be difficult for a member of the military to report to a registration centre while at sea and the legislation would therefore harmonize methods of submitting the information required by law.

Therefore, when operational obligations prevent members of the military from exercising their rights under the Sex Offender Information Registration Act or from fulfilling their obligations in terms of disclosure, the time limits set out in the act to allow them to exercise their rights and fulfill their military duties may be temporarily suspended.

An additional mechanism, which will apply only in very specific circumstances, will prevent certain information from being disclosed or entered into the database, when that information could jeopardize national security, international relations or certain types of operations.

Let us look at certain changes made to other acts. In addition to the changes to the National Defence Act, this bill includes changes to the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act.

• (1510)

While a number of changes stemmed from amendments to the National Defence Act, others were made following intense and productive consultations with the federal departments responsible for public safety, justice, the RCMP, the provinces and territories, not to mention the national, provincial and local police, who, since December 2004, have had to apply the new legislation.

Some amendments to the current mechanisms stem from the consultation process in place. For instance, the bill was amended to apply when an offender has to report to the police or when a police official is authorized to consult the national database to verify certain information.

[Senator Nolin]

I explained to you earlier the specifics of this measure. It was so specific that it could have made police investigations inefficient. The bill sets out to extend this restriction to the investigators' consultation process. It also sets out to improve the administration and application of the sex offender database.

It is not for nothing that the Senate introduced this bill. Honourable senators, Bill S-3 includes some amendments made to the version tabled during the last Parliament. The most significant changes address the problems raised by the Standing Senate Committee on Legal and Constitutional Affairs. They include, among other things, eliminating the five proposed designated offences and adding the requirement to report to the police when the Chief of the Defence Staff exercises certain powers under the bill.

Amendments were also made in order to clarify the possible repercussions to members of the reserve and to resolve a certain number of minor adjustments to the provisions of the Criminal Code and the Sex Offender Information Registration Act.

All these concerns and amendments were taken from comments made on the speech at second reading stage, particularly from discussions in committee where we were examining the bill at the dissolution of the last Parliament.

In closing, honourable senators, I want to stress the fact that the number of soldiers who will be directly affected by the amendments to this bill should be rather low. These amendments will help ensure that information on sex offenders is accessible to the police for the purposes of future investigations into sex offences.

Honourable senators, this legislation deserves the support of the Senate so that the system of military justice may continue to reflect Canadian legal standards. These amendments will ensure that sentences imposed by a court martial for a designated offence are recorded in the national sex offender database.

The government is proposing a certain number of appropriate mechanisms that will accommodate the military's particular operational requirements. As I indicated earlier, the amendments will provide the Canadian Forces with a flexible registration system that can terminate registration orders so as to protect rights and to ensure that members of the Canadian Forces respect their obligations under the Sex Offender Information Registration Act. These amendments also restrict the disclosure of sensitive information.

I believe that these mechanisms will protect the rights of convicted sexual offenders and will enable them to carry out their operational duties with the Canadian Forces pursuant to the National Defence Act, and fulfill their obligations under the Sex Offender Information Registration Act.

I strongly recommend that all my colleagues support the proposed amendments to the National Defence Act and the other acts. I hope that the Standing Committee on Legal and Constitutional Affairs, with its proverbial promptness, will proceed to study this bill efficiently.

[English]

Hon. Tommy Banks: Honourable senators, will the Honourable Senator Nolin entertain what is, perhaps, a naive question?

Senator Nolin: Of course, honourable senators.

Senator Banks: The thrust of this bill is a good one. Since I will not be able to attend the hearings of the committee, I have a curiosity about the proposed section 119.1(2) which would excuse a convicted person from complying with an order such as Senator Nolin has described. It states:

For greater certainty, a lawful command that prevents a person from complying with an order or obligation is a reasonable excuse.

I wonder whether the application of that would be a lawful command which might state, "He cannot go there this Thursday, but he will go the following Tuesday," or is it a command which might preclude the convicted persons ever being part of the registry?

Senator Nolin: That is a valid question. I have asked it of members of the military who gave me a briefing. We will examine those types of very precise excuses in depth in committee.

The law is not there to prevent the military operation. On the one hand we have a responsibility under the Criminal Code, the proposed act known as SOIRA, and the National Defence Act for the delinquent. On the other hand we have the quality of the military operation.

Those are exactly the types of excuses that are built into the bill to ensure that the equilibrium will be maintained.

I hope that satisfies the honourable senator's question. We will look into that type of question in depth in committee, as was the case when we had the previous bill before us.

[Translation]

Hon. Jean Lapointe: Are the Canadian Forces receptive or resistant to your bill? I believe that if this bill is passed, soldiers will be forced to comply with the law.

Senator Nolin: That is a good question. I believe that the Canadian Forces have not expressed any reservations about the application of this legislation. On the contrary, I think that the Canadian Forces administration supports it.

During the examination of legislation to establish the national DNA databank, the committee realized that military personnel were excluded from the process. So we waited for another piece of legislation to fill in the blank. This time the work is happening in order. When the first civilian act came into force, it was necessary to adapt it to the military environment. But given the unique nature of that environment, the government at the time and the current government recognized that it needed specific legislation that was carefully harmonized without losing sight of its purpose, that is, to give police effective investigation tools.

• (1520)

Hon. Serge Joyal: Honourable senators, I would like to ask the Honourable Senator Nolin a question. Along with several colleagues, I participated in six meetings of the Standing Senate Committee on Legal and Constitutional Affairs, which studied the previous Bill S-39, the forerunner of the bill we are considering today.

At the time, we heard about a statement by then Conservative critic Gordon O'Connor, who is now Minister of National Defence. I quickly reread the bill before us today. If there is no objection, I would like to repeat the statements made by the critic at the time. This is an article from the *National Post* dated October 11, 2005, when the Senate was considering the previous bill.

[English]

But Conservative defence critic Gordon O'Connor said offenders convicted of all but the most minor sexual offences should be ejected from the ranks as a matter of course. "Military people who are found guilty of this...are out, and I don't care if it's war or peace," argued the retired brigadier-general who spent 32 years in the Canadian Forces.

Mr. O'Connor does not accept the rationale that the professional skills or expertise of some sex offenders might be so indispensable that they should be retained.

"I can tell you right now there isn't a skill in the entire armed forces that is that key that we have to have sex offenders," he said. "Nobody is that valuable. The military is set up so that...everyone can be replaced in every operation."

[Translation]

Does this bill include provisions to the effect that, depending on the seriousness of an offence that he or she confesses to or is found guilty of, a member can be ejected from the ranks immediately — to borrow the expression used by the Minister of Defence when he was opposition critic for the issue of sexual offences in the army?

Senator Nolin: That is a good question, and I thank you for it, Senator Joyal. First, we must ensure that our colleagues understand that we are talking about two completely different systems. The civilian system is one thing, and we are all fairly familiar with how it operates.

As for the military system, your committee has already conducted an in-depth review of the entire military justice system. There is the court martial, but there is also a decision procedure they call "administrative," which, in the civilian world, would go against the values we espouse with respect to civilian matters, but that corresponds to the disciplinary regime within the armed forces. Please keep this in mind as I answer the question.

This bill — and it can be examined more closely in committee — includes a series of provisions to ensure that we never lose sight of the quality of our military operations and the objectives targeted by the bill, as well as a balance between the two. In order to cover all of that information, the bill is rather lengthy.

The underlying question remains: Does this bill include a provision to the effect that, when a military member is convicted of a sexual offence, no matter what the member does, no matter how important that member is, the member is discharged? There is nothing like that in the bill.

Senator Joyal: My second question is as follows: When we studied the bill last fall — and as I have mentioned several times, the committee held more than six sessions on the predecessor to this bill — one of the most important questions concerned former clause 203.14 of Bill S-39, which is now clause 227.15. On page 14 of Bill S-3, it is clause 227.15 at the top of the page 14.

[English]

Suspension of time limits, Proceedings and obligations

[Translation]

That is the title. One of our concerns was as follows: the clause specifically states that it is at the sole discretion of the chief of the defence staff to decide whether or not a member of the military convicted of a serious sexual offence will be included in the registry. There was not, in Bill S-39, what we currently call civilian oversight. In other words, the matter remains within the army. Because we are dealing with serious criminal offences, common law offences, when the then minister, his representatives, legal counsel and the chief of the defence staff appeared before us, we specifically questioned this shortcoming. In our opinion — at least in my opinion — when the chief of the defence staff suspends the application of the Criminal Code, the minister responsible should be informed and there must be a means of striking some balance with a decision that may be taken for important strategic reasons. The bill stipulates the circumstances under which the suspension may be made, regardless of what the minister at the time believed. Beyond this particular situation, there is not a balance between civilian control and the prerogative accorded to the chief of the defence staff to suspend the application of the Criminal Code. We considered the possibility of amending the bill in order to re-establish the authority of the minister over that of the chief of the defence staff so that, one way or another, the public would know that there is some sort of system, as you said yourself, an extraordinary one outside of common law.

Did the honourable senator consider the possibility that the Senate could amend this bill to address the concerns we had last fall about this provision?

Senator Nolin: Honourable senators, at the end of my speech, I talked about the amendments that had been made in light of our committee's discussions. If you look at subsection 3 of the same clause, on page 15, you will see a new measure that is intended to provide notification: the Chief of the Defence Staff must inform the minister as soon as a determination has been made.

Is it enough to notify the minister? I understand that the fact that the minister receives notification — the minister has full

authority — the fact that the minister is informed that a determination will be, has been or is about to be made means that the minister has a full range of options. He can oppose the determination. He can even go so far as to reprimand the person who makes the determination. The minister has a range of options.

The committee's concerns were heard, they were valuable, and that is why the bill reflects the committee's reasons for wanting to amend the bill.

Senator Joyal: Honourable senators, on the issue of notifying the minister, one of the recommendations we were considering at the time — obviously, the committee had to stop its work — was to formally list cases where determinations of the type referred to in clause 227.15 were made in the annual report of the Minister of National Defence, so that Parliament would know that an exemption from the Criminal Code had been granted and not only the minister but Parliament would be notified of the determination that had been made.

• (1530)

This is intended to ensure Parliament retains control over exemptions to the common law and, specifically, to the provisions of the Criminal Code, which are so essential to the law and order of a society. Would the honourable senator be prepared to consider that this manner of making the decision more public would not give the greater guarantees sought with this bill?

Senator Nolin: Honourable senators, I fully understand the degree of transparency you are attempting to display. This is a measure that could impede operational effectiveness. When the Chief of the Defence Staff decides to use this power and to notify the minister, he does so after considering all other avenues and concluding that it is in the interest of national security or to ensure the effectiveness of military operations. Could the fact of publicizing the decision — which may be 12 months later or the following month — not also put the effectiveness of operational measures at risk? This sort of examination should be done when we meet in committee. Some scenarios that have been suggested to me have led me to conclude that such action should not be taken. The committee will have plenty of time to examine it with the officers who come to testify and explain the reason for the measure.

Senator Joyal: Honourable senators, I simply want to draw to the attention of the honourable senator the fact that, when the committee examined the bill, in a November 21, 2005, document it had before it the decisions of court martials from 2001 to 2004 involving sexual offences. In the documentation given us, we had detailed information on sentencing in sexual offences in court martials: date, rank, offence and details of the offence. It is possible to have public information. This document was public. It was given to us by the Office of the Judge Advocate General at National Defence Headquarters. It was not a document in plain brown wrapping the committee considered, but a public one. Accordingly, there is a way to make the information public without creating a security risk.

I agree with this aspect. I do not share the view of the minister, when he was critic, that an individual convicted of a sexual offence should be automatically ejected from the army. I am

[Senator Nolin]

satisfied with the response of the honourable senator. Nevertheless, the information can be made public. It should be noted that it can have a dissuasive effect on other personnel as well, even if the name and the circumstances do not need to appear making it impossible to find out who within the military was convicted of a sexual offence and thus put operational security at risk.

Senator Nolin: Honourable senators, in order to clarify the debate we are engaged in, it is important to point out that there are two main requirements under the current system, which this legislation tries to apply to the military. Offenders have to report on a regular basis. They have to report a first time, and then, update specific information annually. The information provided must answer specific questions such as the following: What are your whereabouts? Where do you live? Since when? What are your plans? This would mean that, should the legislation be systematically enforced, members of the military on a special mission, who are caught up in the offender information registration system, would have to report, stating their exact whereabouts and saying how long they have been there and how long they intend to remain there. Can you imagine the kind of difficulties that might arise in this particular situation? The minister would be notified in such cases.

Honourable senators, in addition, Senator Joyal is proposing that the minister publish on a yearly basis the number of times he used this special power that allows him to make exemptions or suspend the act. We all know that if we put that in a public report, the minister will be asked: Who was involved? Where did it happen? When? Why? We can easily agree on that. Is the standard of military operations being jeopardized, where the minister was allowed to use his power? I think so. We can look into that in committee, but they idea is to maintain the standard of military operations and ensure that, when the Chief of the Defence Staff makes a determination, the minister is notified. That has definitely been identified as important, and that is why the bill contains such an amendment. However, I think that taking the extra step of publishing the information would be opening the door to people going fishing, so to speak, and I do not think that it is in the interest of anyone that this information be made public. We can all easily imagine the kind of situation where members of the Forces are on assignment, and it is in the interest of no one that this be known outside the military hierarchy.

[English]

Senator Banks: Senator Nolin, I have a saying that is derived from my past practice: Military justice is to justice as military music is to music. The present bill is an attempt to close that gap to some degree.

Upon looking at proposed section 227.01, which says how, in some circumstances, a person convicted — in this case, a person convicted by courts martial as opposed to courts — would be obliged to become a registrant in the system. It says that there is no discretion in the case of a court martial. If I read it correctly, it says that if the prosecutor requests, the court martial “shall” order a person who has either been convicted or found not responsible by virtue of mental disorder to become registered in the program. I am curious as to whether that is consistent within the civil justice system, and whether, in a civil court, a civilian

charged with and having been convicted or found not guilty by virtue of mental instability can be ordered into the program at the request of the prosecutor, and whether, in a civil court, the judge has no discretion, as the court martial here appears to have no discretion. Section 227.01 says the court martial “shall” order that the person be registered.

Senator Nolin: My honourable friend raises a valid point, and we will raise that specific issue. When we discuss section 16 of the Criminal Code, which deals with mental disorder, we move in a direction that must be looked at carefully. It raises the question of *mens rea*.

Again, the honourable senator raises a valid point, in my view, and the committee will look into it. That is the only answer I can give at this time.

• (1540)

[Translation]

Hon. Pierrette Ringuette: Honourable senators, if I recall discussions on the previous bill, in the case of a service member who is accused of a sexual offence or sexual abuse in another country when serving Canada in that country, the bill did not provide, for the charge laid in the country in question, that this person also be listed in the sex offender registry. Does the bill that you are introducing make this correction?

Senator Nolin: This correction already exists under a bill that was adopted seven or eight years ago. If an offence that is recognized as such in Canada is committed in another country, it is as though it were committed in Canada. If a Canadian citizen commits this offence in another country — and all the more so a service member who commits this offence when under the orders of a Canadian military hierarchy — the full force of the law will be applied to this individual.

On motion of Senator Fraser, debate adjourned.

[English]

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-Ninth Parliament.—(4th day of resuming debate)

Hon. Jack Austin: Honourable senators, I repeat the congratulations and good wishes I offered at the start of this session to our new Speaker, Senator Noël Kinsella. His role is one of high precedence and calls upon him to represent Canada in diplomatic relations at home and abroad. Of course, he is also our presiding officer and we have confidence that he will execute this role with balance and wisdom.

To Senator Hays, I wish to express thanks for a job well done as our Speaker. In my previous role as Leader of the Government in the Senate, I did not always concur in his rulings, but then I never sought to overturn them.

Senator LeBreton has also received my congratulations on her appointment as Leader of the Government in the Senate and to cabinet. Her role calls upon her to be the Senate's representative in cabinet, bearing in mind the constitutional and institutional responsibilities of the Senate and, at the same time, to be the government's representative in the Senate. To represent the executive on the one hand while on the other to lead the Senate in its responsibility to be a house of review and a check and balance on the executive can be compared to standing on two different galloping horses at the same time while praying constantly that they will not take off in different directions.

To Senator Champagne and to Senator Segal, the mover and seconder of this debate, I thank them for their comments, on which I shall have something to say shortly. I believe you both will fulfill the contribution to Canada, its social progress and economic prosperity, the Prime Minister who appointed you must have had in mind.

Let me turn to the program and priorities of the Harper government as expressed in the Speech from the Throne. Immediately, two things surprised me, but then I may be easily surprised. First, I found that the five election promises, important in themselves, were the whole of the Harper government's affirmative program for this session, which could last as long as one year or more. Apparently, the Harper government believes that keeping these promises is the key to becoming a majority government, in which case I never, in my 40 years of political life, will have seen the Canadian people so easily satisfied. Second, there is nothing to show Canadians how we will meet the challenges from outside Canada that are critical to our economic and social well-being and to the human safety of Canadians. Where is the recognition of the world beyond our borders and the leadership that Canadians need based on that recognition?

The understatement of the century so far is in the words in the Speech from the Throne that the government "will not try to do all things at once." Perhaps Prime Minister Harper is trying to message that his will not be an interventionist government, but Canada cannot be a hermit nation, not in its own interest and not in the interest of its allies in the democratic world community. From my point of view, the Speech from the Throne portrayed a little Canada and stepped substantially away from the big Canada, the mature and responsible nation that we are and want to remain.

When a government comes into office, it should look not only to the political context of an election campaign where the polls guided the campaigners to set issues and promises that would work magic on the public. Of course, if in office those goals, promises and priorities are found to make the best sense, then they should be acted on, but not if they can be demonstrated to be poor public policy and not well conceived. Canada is not a country where the march of folly should apply. I come from the Province of British Columbia, which admired former Premier W.A.C. Bennett and kept him in office for over 20 years, in part

because he called his government a second-look government. He was never so proud that he wanted to do the wrong thing. If something were proposed that would not work properly, he was prepared to take a second look. This is my most sincere advice to the Harper government: Take a second look, and do it often.

When a new government comes into office, it should do an inventory of the issues of interest and concern to the Canadian people. It should look over the horizon to identify both the risks to be contained and the opportunities to be acted on to advance the net interests of Canadians. If governing "modestly," as Preston Manning argues in *The Globe and Mail* of April 7 last, should be the "geistmotif" of the Harper government, here are some of the domestic issues that the Harper government fails to identify or show any understanding of.

First is the well-being of the Aboriginal community, including the Kelowna agreement and the agreement on residential schools compensation.

The second issue is the Kyoto Protocol and Canada's international responsibilities as well as its domestic needs. Where is the Mulroney commitment to the environment in the Harper government's priorities? Will the Minister of the Environment, who holds an Alberta seat in the House of Commons, address the pollution being caused by the oil sands development and its cost to Canadians?

Third is an economic development and prosperity agenda. Nothing is more critical in a competitive, global economic investment and trade system. Is the Harper government in pretend modesty to leave each province and territory to find its own way in the global business game?

The fourth issue is that of addressing the physical and social challenges in our large cities and smaller communities across Canada. It is commonplace that investment in both new and renewable infrastructure is far behind the need. These cities and communities have commitments from the federal level agreed to by their respective premiers. Are these commitments to be honoured, or is the Harper government in its modesty to play the game of avoid the issue?

The fifth issue is that in global competitiveness and in quality of life, the key is education — what we define as both living to learn and learning to live. In its modesty, is the Harper government to abandon our students, our teachers, our universities and their research capabilities and leave these priorities only to the provinces and the territories?

The sixth issue is that our non-supply managed sector in agriculture is under great stress, in particular the grain and oilseed sector. As well, we have seen the cattle industry suffer high economic losses over the past two years. Is the Harper government to govern modestly in the face of the problems of Canadian agriculture and allow their losses to fall where they may?

Seventh is the issue of British Columbia's ports of Vancouver and Prince Rupert, which are an enormous potential asset to Canada. The flow of goods to and from the Asia Pacific has

grown exponentially over the last three years. This opportunity for Canada requires investment so that these ports can be competitive with any ports in the United States or Mexico, and not only the ports but also all the rail, air and truck links to North American markets. In governing modestly, will the Harper government recognize the opportunity to produce a Pacific gateway strategy, or will it be indifferent to it and let others respond as best they can?

Due to Senate debate time limitation, I have reviewed only a few issues of domestic focus. In the time remaining, I shall question where the Harper government stands in furthering Canada's key international interests. Let us start with the United States. I have no hesitation in approving the words in the Speech from the Throne describing the United States as our best friend. We are alike in our commitment to democratic values, human freedom and the rule of law. Both countries have a written constitution, a bill or charter of rights, and an independent judiciary. Whether the people in the United States know it or not, we are one another's best neighbours, but that does not mean we do not have problems or that Canadians feel our best friend always treats us fairly.

• (1550)

In my province of British Columbia, our forest industry is nearly half of our gross provincial product and has been held to ransom over illegal countervail and anti-dumping measures by the United States. The U.S. forest industry talks fair trade but means protectionism. We will keep a close and critical watch on the work of the Harper government on the softwood lumber issue.

Yesterday's news about an agreement in principle is not good news for B.C.'s forest industry, if the story is accurate. I imagine International Trade Minister Emerson has been busy listening to provincial and industry reaction and is not amused.

The WTO Doha negotiation is critical for Canada's non-supply managed agricultural sector, which amounts to 80 per cent of our agricultural economy. Without a level playing field, our producers will be the victims of international price management based on qualitative and quantitative protectionism practiced by the producers of the United States and Europe.

Next, the Martin government accepted Canada's responsibility to contribute with "boots on the ground" in the battle against Islamic terrorism. I am pleased with the throne speech words that "The Government stands firmly behind the vital role being played by our troops in Afghanistan today." This is not an easy mission and Canadian lives will be lost, but most Canadians know the fight is for a free and tolerant society against those who believe that our values will destroy their society and its Taliban values of repression and domination of others. Hopefully the fighting will one day end and the talking will begin. We all want to live in a peaceful and mutually respectful world.

The world economic situation has to be our concern every day. For the year 2005, the U.S. current account deficit totalled \$805 billion, or 6.4 per cent of U.S. national income. Most economists believe chronic U.S. deficits are not sustainable. As

one advised, U.S. exports are 10.5 per cent of U.S. GDP, and to eliminate the deficit through trade exports alone, they would have to increase to 70 per cent of GDP. "This clearly is not going to happen. Instead it will require a big dollar depreciation alongside much weaker domestic demand for imports."

Honourable senators, we see predicted a weakening support for the U.S. dollar and consequent strengthening of our currency, which can overall be quite costly to our productive and value-added economy. What has the Harper government to say about this issue?

Briefly, I want to mention Asia Pacific, China, India, Japan, Korea and the ASEAN countries. This is an area with more than half the world's population. Japan is a wealthy country, Korea is gaining everyday and China and India have impressive GDP growth rates. Asia Pacific is where the world's greatest wealth will be created in the 21st century. We need a concerted, whole-of-government and whole-of-business strategy to play our role in the new wealth creation. Our failure to do so will see us much diminished in our economic competitiveness in the long run and living wholly from our natural resource revenues in the short run. The story about the farmer selling his topsoil to keep the farm going very much comes to mind.

Honourable senators, these are only a few of the issues from outside our borders that we must respond to. There is no message in the Speech from the Throne on these key issues, save for Afghanistan. I greatly fear that the Harper government's policy of governing modestly and with limited focus will cause Canadians to believe that dealing with the five points of Prime Minister Harper's agenda will address the issues of government. These points can hardly be described as beginning to govern, and focusing too narrowly on them will mislead Canadians as to the real challenges we face.

I notice Prime Minister Harper's tactic in answering to the critical issues facing the country is to accuse the previous Liberal governments of mismanagement, as if a \$13-billion surplus is mismanagement. If you do not believe he made such an accusation, look, for example, at the House of Commons Hansard for Wednesday, April 5, 2006. I doubt he can fool the Canadian people or satisfy their need for good policy by playing the political noise-making game.

The Liberal governments of Jean Chrétien and Paul Martin turned a Canada in desperate fiscal shape into the strongest economy in the G7. These governments produced an historic eight budget surpluses. As Paul Martin said, "We have given Canada the best economic performance in its history."

In 2005, Canada's economy crossed the U.S. \$1-trillion mark for the first time. In U.S. dollar terms, Canadian GDP is up more than 70 per cent over the past four years. For the first time, Canada's economy is greater than that of the State of New York by 20 per cent. Corporate profits rose 10.7 per cent in 2005 and 18.7 per cent in 2004. In 2005, wages and salaries rose 5.4 per cent, investment in machinery and equipment rose 10.7 per cent and consumer spending rose 4 per cent. The percentage of low income Canadians declined from over 16 per cent in 1993 to 11.2 per cent in 2004. Canada's

unemployment rate fell to a 32-year low of 6.3 per cent in March 2006. Some mismanagement! Prime Minister Harper's political dust-throwing cannot stand up to those facts.

A former finance department official, Don Drummond, now Chief Economist at TD Bank, said in a *National Post* story dated March 1, 2006, that "the new government needs to find \$22.5 billion in additional savings over the next five years to cover the cost of its election commitments." He added that the savings from present programs would need to be "heroic." The budget estimates that we expect to be tabled by the Conservative government will, I am sure, show no sign of that reality. They will signal further growth in spending.

As to the election result on February 6, 2006, I want to record my conviction that the Liberal government of Paul Martin acted too creatively, too far reaching in our social policy goals and in our fiscal management, too independently in our international relations, and too inclusively of all Canadians for the electoral reward the voters of Canada conferred on the Liberal Party and its Prime Minister, Paul Martin. If there is blame, it falls mainly on the Liberal Party itself for its failure to communicate its values and its competence.

All political leaders in Canada — ministers, senators and members of the House of Commons — need to take seriously the critical decline in public trust that we have experienced collectively over the last two decades. We know, as the Gomery report stated, that Canadian politicians, our judiciary and public service are among the least corrupt of any nation. When corruption is exposed, Canadians deal with it harshly, as we should. Why is our collective credibility so low? Perhaps we can start with our excessive partisanship, which so misleads Canadians as to the reality. Perhaps the Senate could be seen as an example of the way politics can be practised with intellectual integrity. Perhaps, as Senator Segal wishes, we could put ourselves on TV and that would do something to restrain excessive partisanship. Let us think, however, how to address this issue, and do not think that it will go away.

Let me end with from a quote from an American social philosopher, Woody Allen:

We stand at a fork in the road. One way leads to madness, catastrophe and ruin; the other to disaster, chaos and despair. May God grant us the wisdom and courage to choose the right path.

Hopefully, Harper government will not try every alternative to good public policy before choosing the best way — the way of historic Canadian values, of unity, social justice and prosperity.

God Bless Canada.

The Hon. the Speaker: The time for the honourable senator has expired.

Senator Murray: I was wondering if I could put one question to the honourable senator, with leave.

The Hon. the Speaker: The honourable senator asks for an extension. Is leave granted, honourable senators?

Senator Comeau: It is agreed that he be permitted five minutes.

• (1600)

Hon. Lowell Murray: Honourable senators, I wanted to address Senator Austin's comments about the Canadian dollar. He raised the question of the relatively high value, in terms of recent history, of the Canadian dollar vis-à-vis the U.S. dollar and asked what the government intends to do about it. There seems to be the implication, first, that Senator Austin believes that the Canadian dollar is overvalued, and I would ask him to confirm his opinion on that matter.

More worryingly, there was the implication that the government ought to manipulate the value of the dollar. While I understand that for some exporters a higher dollar creates some problems, the economists, of whom I am not one, would argue that the answer to that lies in improved productivity. In any case, those of us who are consumers, and sometimes travellers, quite like the idea of a dollar that approaches par or even better, as it once did, with the U.S. dollar.

Senator Austin: Honourable senators, I did not reflect on the pros and cons of the level of trading of the Canadian dollar in dealing with the U.S. currency. What I am saying is that we would be wise to take into account the current economic deficit, fiscal deficit and trade deficit in the United States, the fact that it is the world's largest debtor and that its economy is underwritten by the vendor financing of Asian countries.

I illustrated, with a quotation, the point that there is no way that the United States can, by changing its trading patterns, deal with that deficit. In fact, there is no way to deal with that deficit, according to most economists, except by a gradual monetization of the U.S. dollar.

The only issue I raised is how do we deal with that impending circumstance in terms of its impact on the Canadian economy? I agree with the honourable senator's conclusion that we must be competitive, productive and look to growth industries to sustain our standard of living, our quality of life and our economic performance. However, I do not have the middle of that equation to offer. My point is that we need to use the resources of this country, its intellectual resources in government and in the private sector, to deal with that issue.

The honourable senator has given me the opportunity to reflect on another concern. If we see the investment patterns going into the Alberta oil sands, into two northern pipelines and some other major capital projects, the management of the Canadian dollar will be a significant task in order to prevent the downsizing of many Canadian manufacturing and service industries in terms of their capacity to be competitive in the export industry, and it certainly will not serve agriculture either.

The Hon. the Speaker: Honourable senators, I wish to recognize Senator Dawson. I believe that I am correct in drawing to your attention that this will be Senator Dawson's maiden speech.

[Translation]

Hon. Dennis Dawson: Honourable senators, I am both very moved and humbled to stand in this august chamber to deliver my first address. I am moved when I think of the fact that I am now pursuing a career that began 29 years ago in the other House, although that career was interrupted by an electoral defeat in 1984. In fact, my first address in the other House was also on the Speech from the Throne.

Despite my absence, I have always had tremendous respect for public life and the people who participate actively in it. Clearly, it is not always easy to be in politics these days, especially since the actions of a few people have brought disgrace to this pursuit in recent years.

[English]

I, among many others, share the belief that despite globalization and its effects, the political role of a public representative remains a noble and critical service that is essential to promoting and defending the interests of the population. It is still by our political actions that we can make changes and contribute to a better quality of life for our citizens here in Canada and even outside our borders.

I have a great deal of respect for our parliamentary process and those who work endlessly to ensure its operation day after day. Having said this, I will tirelessly work on getting my point of view across, and I will do this in respect of the different perspectives, while keeping the interests of our constituents, of all Quebecers and all Canadians in mind.

[Translation]

I stand before you humbly, for I have come here to learn and to add my modest contribution to the quality of our parliamentary life. At the same time, I am also here to serve my fellow citizens. I am now part of this chamber, said to exist in order to ensure a sober second thought. I fully intend to devote all of my efforts to fulfilling this duty to the best of my ability, with all of my knowledge, experience, abilities and energy.

To begin with, I would like to congratulate my colleagues, appointed by then Prime Minister Paul Martin, who entered the Chamber at the same time as me, including, above all, my friend Senator Fox, with whom I spent many years in the other House, and afterwards, engaging in politics.

I am delighted to be part of such an impressive group of recruits and I wish my entire cohort the very best of luck. I would also like to acknowledge all of my new colleagues of the Senate, which includes many familiar faces, individuals with whom I have worked closely over the years, and in some cases, with whom I worked in Quebec.

I would like to congratulate the Minister of Public Works on his appointment as both a minister and a senator. I wish him good luck as I consider that the greater the number of strong representatives from Quebec, the greater the benefit for the other capital.

I have many friends in the family of the senator and minister, and I am certain that his mother, for one, is very proud and filled with admiration. I certainly cannot criticize the fact that his friend, the Prime Minister — for whom Mr. Fortier worked as a leadership and campaign organizer — has appointed him to the Senate. I am in no position to make such a comment.

That being said, my Prime Minister never said that I had to be elected to get into this chamber. Nevertheless, I would like to reiterate all my words of encouragement and congratulations, although it will probably be the last time that I can do so in this chamber.

I would also like to say a few words about the attitude that I intend to adopt in my relations with federalist Quebecers. Given the distinct nature of the political issues in Quebec between federalists and sovereignists, with the future of the country at stake, I have adopted as a guiding principle to never attempt to attack — starting with their reputation — my federalist political adversaries. By doing this too often, we open the door for sovereignists and that hurts our cause. I refuse to score political points in the short term on the backs of federalist Quebecers in the other parties.

[English]

The reputations of too many sincere federalist Quebecers have been destroyed over the last few years between federalists, and the only ones who win in this type of argument are the sovereignists. I will not give anyone free gain, but I will certainly avoid making personal attacks on my fellow federalist Quebecers.

[Translation]

That said, I will carry out my duties with vigilance. I will focus on issues rather than personalities, and I will do everything I can not to provide the sovereignists with grist for their mill.

I would also like to thank my sponsor, Senator Joyal. He has always been a guide and a friend to me, and I have the highest respect for him. He has provided me with very wise counsel, both written and spoken, for a long time, but particularly since I came to the Senate. He helped me greatly to become familiar with the institution, its nature, its duties and also its constraints.

His enthusiasm for the institution is infectious, and I look forward to carrying out my role and responsibilities as a senator.

[English]

As I mentioned before, I am joining Senator Joyal in the Senate, as well as numerous others, including Senator Prud'homme, with whom I served in the other place. When the leader at that time, Pierre Elliott Trudeau, sees us from above, as Senator Pépin said a few months ago, he must recognize many familiar faces who sat with him between 1968 and 1984 and that are now here in this place.

• (1610)

I mentioned another name earlier, a name upon which I will probably be concentrating most of my first speech. I return to Paul Martin, my leader until a few weeks ago. I wish to thank him

for having trusted me and for having nominated me to the Senate when he knew that my nomination would certainly not go unnoticed. If I remember well, the present Leader in the Senate at that time accused me of having a past with Paul Martin. Yes, that is a true fact. I am proud of this and of the many years focussed on supporting Paul Martin and his causes that he has defended well in front of his party, in front of his colleagues and in front of all Canadians.

[Translation]

History will judge Paul Martin, but I am convinced that even though it was too short, his time as Minister of Finance and Prime Minister will remain etched in memory as an outstanding achievement in Canadian politics. I thank Paul Martin for devoting 15 extraordinarily productive years to the Liberal Party, the Government of Canada and the people of this country.

He gave himself body and soul to his work. He was a key player in the government team that literally saved Canada from bankruptcy, after inheriting an unprecedented deficit of more than \$40 billion from the previous government.

I heard the current Minister of Finance boasting about what good shape the Canadian economy is in on his return from a G8 meeting. He should have thanked Paul Martin, because this amazing turnaround did not happen on its own. People can look at the results from all angles and try to attribute them to favourable conditions, but one constant remains, clear and simple.

Such an economic recovery would be impossible without a firm political will and determination, without a vision based on a simple yet demanding notion: to create a better Canada for future generations and to act now not to undermine their legacy but to make it richer now and for the future.

This is what the Liberal Party and Paul Martin accomplished over the past 13 years and today, all of us, including the new government, are reaping the benefits. Debt that was spiralling out of control and huge budget deficits were paralyzing our ability to compete with other countries. These factors were seriously compromising our future and drastically reducing our ability to allocate necessary resources to new and growing needs.

[English]

Our productivity was suffering. Compared to other matters, we were contributing too much of our time to lowering the debt and not enough to these new, urgent needs. We were witnessing the chronic unemployment of our youth as our country was slowly paying a visit to the devil, while being the laughing stock of the G7.

[Translation]

The sovereignists, never satisfied, tried everything they could think of with little regard for logic in their efforts to separate because the country was on the brink of bankruptcy. Now they want to separate because the economic picture is prettier and their economic future — Quebec's in particular and Canada's in general — is far brighter.

[Senator Dawson]

In 1993, Canada was considered technically bankrupt. It could no longer control its debt or its deficit. It was seeking its place in a changing world and was foundering because of its pathetic financial situation.

The Liberal government grabbed the bull by the horns and fixed the problem. It was the Canadian people — as Paul Martin often said — guided by a government determined to make the country's financial situation more livable now and in the future, who made it happen.

[English]

If the new Minister of Finance next week has the financial liberty to launch his programs and to commit to the five priorities of the Conservative government, it is without a doubt due to those who paved the way during the last few years, and no one was more determined and as engaged as Paul Martin in his fight for improved finances.

[Translation]

As Minister of Finance, Paul Martin presented a series of surplus budgets starting in 1997, unheard of in 30 years. The turnaround Mr. Martin represented was spectacular. He convinced Canadians of the urgency of action, and everyone put their shoulder to the wheel.

Mr. Martin is behind the largest tax reduction in the history of Canada, namely \$100 billion over five years. He reformed the Canada Pension Plan so Canadians could be sure there would be enough benefits for the next 75 years at least. He also created the National Child Benefit, which fights the scourge of child poverty. He drew on the example of the Caisse de dépôt du Québec to establish an agency to manage Canadians' retirements.

[English]

More recently, the agreement of \$41 billion toward health that Paul Martin put forward enabled the provinces to breathe more easily. This agreement has had an undeniable impact on reducing the waiting times and on improving health care for a rapidly aging population that is always in need of health care in quality as well as in quantity.

Moreover, no one can deny the fact that the relationship between the federal and provincial governments has greatly improved under Paul Martin. This relationship evolved because Paul Martin wanted the federal-provincial relationship to be one of respect as well as one of working towards finding solutions dedicated to a better life for our citizens.

[Translation]

He was behind the new deal for cities and communities, a modern instrument that enables municipalities to obtain more resources to meet their needs as front line suppliers to the public.

In Canada, 80 per cent of the population now lives in the cities. The problems of the cities are the problems of the vast majority of Canadians. It was time the federal government got involved in resolving them, in partnership, naturally, with the provinces, which are responsible for local communities.

[English]

I am pleased to have been associated with the contributions of Paul Martin to the Canadian political scene as Minister of Finance, as MP, as Prime Minister and as our party leader. I am also pleased to have been a candidate and supporter under Paul Martin's Liberal banner. He is an exceptional human being and a great Canadian. Nature and history will tell the story of a man who endlessly and selflessly gave back to Canada.

[Translation]

Since this is my first speech I will be kind to the new government. For now I do not intend to elaborate on the blunders that marked their beginning.

We must give them the benefit of the doubt. But they had better look sharp because there is quite an impressive bunch turning up for the race to lead the Liberal Party of Canada. The Conservative government might not have enough time to correct its mistakes. I am pleased to take part in the work of this chamber and of the committees to point out the weaknesses of this government.

Honourable senators, before closing I want to speak briefly about Quebec. The Liberal party has to take a hard look at its performance in that region and it will have the opportunity to do so during its General Council in the coming days.

Obviously important matters like the 400th anniversary, the airport and the Port of Quebec have dragged on. And, I must add that the issues surrounding Massif de la Petite-Rivière-Saint-François and the Quebec City bridge have not received enough attention either. I can assure the new government and its ministers of my support in finding quick and effective solutions to these concerns.

Finally, I want to express my commitment to young Olympians. The performance of our athletes in Turin was exceptional despite the fact that help from the government was late in coming. Again, today we have a minister responsible for building roads and stadiums for the 2010 Olympics in Vancouver, but still no minister responsible for the Olympians. Hundreds of millions of dollars will be allocated to building roads and stadiums, but let me remind everyone that it is the athletes who win the medals, not the stadiums.

I want to congratulate the Speaker on his election. I will surely have the opportunity to deliver more speeches in this chamber and I sincerely hope I will be equal to the task.

[English]

Hon. Norman K. Atkins: Honourable senators, I would also like to begin by congratulating the Honourable Senator Kinsella on his new role as Speaker of the Senate. I think members of this chamber would agree that he has a hard act to follow. I do not know if this is the first time it has happened, but it was certainly highly unusual when our present Speaker, who was formerly the Leader of the Opposition, replaced the previous Speaker, the

Honourable Dan Hays, who became the Leader of the Opposition. This is a complete reversal of roles.

I also congratulate the new leadership in the house on both sides and express my sincere hope that as time goes on, for the good of Canadians, negotiations will be amicable and successful.

I also congratulate the new Conservatives for winning the largest number of seats in the House of Commons in the last election and becoming the new government. It is clear that Canadians want a change; however, the question now is how to interpret those changes. Did change occur because Canadians want to remove a Liberal government, or did change occur because Canadians were attracted by the platform of the new Conservatives?

• (1620)

The difficulty for the government is to determine to what extent their mandate is, in fact, an endorsement of what Canadians really want and whether it is the best thing for the country. The government must avoid the pitfalls of assuming that Canadians have fully bought into their program and truly examine what Canadians find acceptable. The fact that the new Conservatives could not form a majority government is the best indicator that their mandate should be tempered. This is not 1984 or 1988, when the Progressive Conservatives formed a majority government with a clear mandate.

We now know what the government has in mind with regard to the proposed Accountability Act. It would appear in some instances that they are, to coin a phrase, "using a hammer to kill a fly." They are currently establishing a whole new layer of bureaucracy in their efforts to do things differently. How much will this oversight cost taxpayers? Likewise, the unintended price of this proposed legislation is that it could potentially taint innocent people and create an air of paranoia and gridlock within the public service.

One thing that I believe is good about the proposed act is that it expands the role of the Auditor General and, hopefully, will provide the resources to do a more effective job. I believe that the broadening of the Auditor General's mandate to include Crown corporations is the right thing to do. That said, in creating positions such as the director of public prosecutions, we are again seeing a move by the new Conservatives to the Americanization of our Canadian parliamentary system of government. I am not convinced that this type of role is really necessary in view of the present safeguards that we already have in place, and the fact that criminal prosecutions fall mostly under the authority of provincial attorneys general anyway.

We know from experience that our institutions are strong when our parliamentary traditions are respected. Current dissatisfaction has found its root because of individuals who disregarded traditions and a proper code of ethical conduct. Individuals who circumvented the rules failed our institutions; our institutions did not fail Canadians.

It is ironic that over the last year there was a significant amount of debate in this place about the role of the Ethics Commissioner. A principal point was whether the Senate should have its own authority and autonomy. The new act is proposing to combine the two positions under one authority, which once again raises the debate of the role of the Senate in our parliamentary system. I wonder what our Fathers of Confederation would think. The Senate, as outlined in the Constitution, must remain independent of the House of Commons and its executive and act as the chamber of sober second thought.

We have recently seen the outline of what the government's position will be on the question of law and order. I give them full credit for moving in the right direction, but I would urge them not to make changes too quickly. In any case, the three bills promised by the Minister of Justice should be closely studied by our Senate Legal and Constitutional Affairs Committee, where there is a most impressive array of legal experience and talent. The announcement that the government will raise the age of sexual consent from 14 to 16 may seem like a good idea; however, reservations have been expressed by many people, including the Premier of Quebec. This is an example of an issue that will benefit from careful study by our bipartisan committee.

The Prime Minister has given some indication that he is prepared to crackdown on crime by rescinding the faint hope clause which allows criminals to apply for parole after 15 years. I understand the desire to review this process and I also support the crackdown on sexual offenders, predators and murderers. I agree with the necessity to expand the present registry of all sex offenders to include everyone convicted of such crimes. However, the committee should study whether it is necessary for this list to be retroactive.

The government must consider the financial and societal implications of a justice system increasingly focused on incarceration. Once again, this is potentially yet another American-style encroachment. If the government focuses on incarceration, the questions must be asked: Will we need new prisons? How much is the true cost of this justice strategy to taxpayers? Can we find a Canadian solution?

As many know, the United States, one of the world's greatest democracies, also, unfortunately, lays claim to one of the highest incarceration rates in the world. I do not believe Canadians want our government to tread this path. Our goal should be to find a truly Canadian justice solution. Perhaps a review of the penalties relative to the seriousness of the crime should be launched so that, for example, someone found guilty of fraud does not receive a sentence similar to someone convicted of murder. This might allow for the punishment to be more in line with the crime and alleviate overcrowding. It might be that these issues will be reviewed under the umbrella of the government's current commitment to stiffen mandatory jail terms. If so, it will go a long way to addressing the problem. I look forward to seeing further details in the creative approach which strengthens our justice system.

Another issue that is being discussed is the gun registry. According to various police organizations and lobby groups, there are undoubtedly some advances being gained from our long

gun registry. There has been a registry for short guns in Canada since the 1960s. However, the long gun registry has cost the taxpayers of this country more than \$1 billion to date and the experts are at different ends of the spectrum in terms of value for dollar. I remember when the bill was first introduced and indicated that it would cost the taxpayers \$80 million in total. I hope that the government will conduct an overall review of this program to determine which areas are advantageous and which are not working. Perhaps the government can launch a more cohesive and effective program which will work in conjunction with the crackdown on crime and reduce the massive expenditures we are currently witnessing.

To totally scrap the program for political expedience, and not to extract what has been beneficial, would be unwise. The government should not confuse anger at the mismanagement of the gun registry with rejection of the intent of the gun registry. If our police — those whom we rely on to keep our neighbourhoods safe — support the gun registry, then this government should listen.

The next point I should like to address is the issue of wait times within this country's health care system. It is commendable that the government commits to shortening wait periods for medical procedures, but this, unfortunately, is not all in the hands of the federal government. The federal government will have to rely heavily on the provincial governments to implement any programs or incentives. The provinces will only be able to do that if the federal government provides the resources to make it happen.

This brings me to the next area that I would like to comment on, namely, the reduction of the GST. The experts predict that the 1 per cent immediate reduction to which the government is committed will cost in tax dollars somewhere in the range of \$4 billion to \$5 billion annually. Ultimately, a further reduction of 1 per cent will cost an additional \$4.5 billion, for a total of \$9 billion to \$12 billion annually. The optics of this commitment is obviously popular with the public. The problem is, on the one hand, Canadians feel that they are overtaxed; on the other hand, they are looking for good economic policy.

• (1630)

The rationale for the reduction in the GST does not seem to anticipate the potential unforeseen demands on the national treasury. What happens if Canada faces an economic downturn, a natural disaster or a health threat?

The Speech from the Throne says this government believes that Canadians pay too much in tax. I am sure not many Canadians would argue that fact, and most appear to applaud the reduction in the goods and services tax.

The problem is, on the one hand, Canadians feel that they are overtaxed; but on the other hand, they are looking for all levels of government to provide the services and programs that are important in our society. I ask the question: Can we have it both ways?

The government is bringing in a new program for child care, which will require several billion dollars to finance. For those who are lucky enough to be able to stay at home with their children,

the \$1,200 per child per year will no doubt be most welcome. However, for those who truly endure the burden of child care expenses, an annual income of \$1,200 per child per year is but a drop in the bucket compared to the actual costs of child care. Also, are sufficient child care spaces being created with this initiative? Indeed, every dollar helps, but if personal income taxes become higher, the program will not be terribly helpful.

The government has announced that they will implement much needed changes in support to our military, which will require significantly more money. These announcements appear to be in line with what Canadians accept as necessary to sustain our role in world affairs and the protection of our country. However, these commitments do not come at bargain prices. We need more personnel, and we must replace antiquated equipment — for example, our helicopters, cargo planes and ships, all of which will need major additional funding.

Health care improvements will need more money if we expect the provinces to sustain the changes, as I have already noted. Our agricultural sector is in desperate need of improved financial support. The government has outlined a sustained economic commitment, which is long overdue and money well spent, but it will cost. There is a great demand for the financing of infrastructure in the transportation sector within our cities, which cannot be ignored.

This country needs long-term sustainable funding for a major commitment to environmental programs that will protect the future for our children. This issue should, in my view, have been one of the top five priorities, or added as a sixth. Even former Prime Minister Mulroney has expressed his worry that this issue is not high enough on the priority list.

There is a critical situation unfolding in relation to students and student debt for post-secondary education. Add to that the fact that our universities need additional money for capital projects, along with increases for research and development, to allow them to remain competitive worldwide and to attract the best and the brightest.

When you add all this up, while the idea of reducing the GST on the surface seems like a good idea and the optics are very appealing, my concern is that, when push comes to shove, the government will have to find other ways to make up the shortfall created by any such reductions.

If all of these initiatives are now perceived and accepted as what Canadians want for this country, then Canadians must be aware that they will have to pay for them. We cannot continue to expect to pay less for more.

We have been told that the previous government was running a large surplus; but we have seen throughout history that a surplus can disappear very quickly by governments that are unable to prioritize their spending against their revenues.

The question is, can the government reduce the GST and not raise personal income taxes or implement other tax measures without destroying the social benefits that exist within this country?

I suggest to the government that, rather than continuing to create costly new layers of government bureaucracy, that they usher in a new way of dealing with a very fine public service. Rather than continue to emphasize that they will eradicate an attitude of entitlement, perhaps they could indicate that while there were a few of that ilk, they will nurture those who display the right character and values and reward them. Perhaps more expansion of oversight and review offices, such as the Auditor General's in consultation with senior bureaucrats, would be more cost-efficient.

The Hon. the Speaker: I regret to inform the honourable senator that his time has expired. Perhaps honourable senators would agree to grant Senator Atkins a five-minute extension? Is it agreed, honourable senators?

Hon. Senators: Agreed.

Senator Atkins: This leads to the suggestion that I have long made, that there is an opportunity for this government to utilize the Senate much more rather than to continue to criticize and attack it. There is an untapped wealth of knowledge and experience that could be very beneficial in the role of commissions or inquiries and the study of various issues that the government deems important.

Incidentally, a perfect example of my line of reasoning presents itself in a motion recently moved by Senator Segal for television coverage in the Senate. In fact, I would expand his suggestion for coverage. I strongly support this motion and would hope that Senator Fraser would follow through on her suggestion of referring it to committee for discussion and examination.

It will come as no surprise to most members in this chamber that I am opposed to an elected Senate because we run the risk of legislative gridlock similar to that in the United States. I also believe that we cannot reform the Senate without examining all the institutions of government, which may eventually require amendments to the Constitution.

I believe it would be more prudent for the government to re-examine the formula that almost received unanimity with the Meech Lake Accord. This allowed each province to submit a list of five names for consideration for any regional vacancies within the Senate.

A perfect example of where this type of formula would work is evident now. We recently lost the Honourable John Buchanan to retirement, which created a vacancy in Nova Scotia. If the government had not taken the position it has, there would perhaps be an opportunity to have someone like the former premier, John Hamm, with his wealth of knowledge and experience, available to serve all Canadians.

I strongly suggest that the Prime Minister should not relinquish any of his autonomy in relation to the selection of Canadians who might offer their services to the betterment of the country regardless of their political stripe.

This government has focused on five priorities which they believe are not only important, but politically expedient. The question I have is, do these five priorities work to put Canada in a better position in the global market and enhance our position worldwide?

Canada is at a critical crossroad. Whether the country has a minority or a majority government is not of ultimate importance; leadership and good government are. Good government is good politics.

Our Fathers of Confederation rightly founded our nation on the principle of peace, order and good government. To that end, I stand here today, and will stand here tomorrow, proud of the institutions that they created and ready to work to make our Canada stronger.

On motion of Senator Comeau, debate adjourned.

• (1640)

[Translation]

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO STUDY THE CANADIAN ENVIRONMENTAL PROTECTION ACT

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of April 26, 2006, moved:

That the Standing Committee on Energy, the Environment and Natural Resources be authorized to undertake a review of the *Canadian Environmental Protection Act* (1999, c.33) pursuant to Section 343(1) of the said Act; and

That the committee submit its final report not later than October 2, 2006.

[English]

Hon. Tommy Banks: Honourable senators, I have the honour to have been elected as the chair of the committee to which reference is being made. I have two questions to put to the honourable senator.

First, does the honourable senator have knowledge of any particular aspect of CEPA the government wishes the committee to address? This bill, as I am sure he is aware, is a tome that touches on many other pieces of legislation. It was the committee's intention, notwithstanding this order, to examine various aspects of the bill, in any case, but is there any interest on the part of the government for a particular part of the bill to be examined?

My second question is this: Is there a specific rationale for the report date of October 2 next?

Senator Comeau: In answer to the first question, I wish to indicate to the honourable senator that no instructions were passed on asking the Senate committee to look at any one aspect

of the bill. One would assume that the honourable senator's initial thoughts are probably correct, that is, for the committee to look at various aspects of the bill.

In answer to Senator Bank's second question, I am unsure as to why there is a date of October 2, 2006. If the date was not part of the original mandate of the bill, it may have been picked out of the air. The original request may have had a time limit attached to it.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

[Translation]

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Jean Lapointe moved the second reading of Bill S-211, to amend the Criminal Code (lottery schemes).

He said: Honourable senators, as I have done ever since arriving in the Senate, I will try not to waste your time.

Honourable senators, I do not know if the senators who heard my last speech on amending the Canada Criminal Code with respect to video lottery terminals remember my visible emotion following an almost unanimous vote in favour of this bill.

I could not hide my emotion and my gratitude to my colleagues from all parties for their support of the bill when the Speaker at that time announced that the bill was proceeding to the House of Commons. I discovered that the senators had hearts of gold and that beyond partisanship, just like me, they wanted to ease the human suffering caused by these diabolical video lottery terminals. I entreat you to do the same and return this bill to the other House today so it may be debated as quickly as possible.

For the new senators, I will outline the danger facing eight of our provinces grappling with the scourge of video lottery terminals. In three days, it will be exactly three years since first reading of the bill I am about to introduce for the fourth time. The majority of you have heard me discuss this bill several times already, be it in this chamber, at the Standing Committee on legal and constitutional affairs or in the media.

Honourable senators, I have promised myself and hundreds of our constituents as well that I would fight on against the video lottery terminals which can be found on almost on every corner in the inner cities of these eight provinces, and to do so until this bill is passed. During the last session of Parliament, the Senate approved the report of the committee which considered this bill and even voted in favour of sending it to the House of Commons. Half my promise was fulfilled.

[Senator Atkins]

I should not have any trouble convincing you to return the bill to the other place, but I will nonetheless tell you about the harm these diabolical machines does to our fellow citizens, as well as the positive effects the bill will have on our communities.

The purpose of the bill is to relocate VLTs, that is to say take them out of bars and restaurants and have them only in casinos, at race tracks and affiliated sites.

A study from the show, *The Fifth Estate*, indicated that there are currently 38,652 VLTs in Canada at 8,309 locations. When the bill is passed and implemented over a three-year period, there will only 206 sites across Canada with VLTs, and this, still under the jurisdiction of the provinces. This will be a phenomenal improvement, since these rotten machines will no longer be so accessible to people, which in turn will greatly reduce the number of players.

Honourable senators, the two groups most vulnerable to this scourge are our young people and seniors. Please, let us pass this bill as soon as possible, so that there is a ray of hope and that their distress can finally go away.

By amending the Criminal Code of Canada, we will put a stop to this plague that, all too often, causes countless problems for our fellow citizens. Pathological gaming is compulsive. It has serious social and financial repercussions for individuals, families and society in general, including sadness, suffering, broken homes, deep depression, suicide and crime committed by video lottery addicts. These problems create a heavy burden for the health care system, tie up the courts, and end up being very costly for taxpayers.

According to the committee's report, provincial revenues generated by video lottery terminals are a double-edged sword. These revenues are always welcome, but the social costs for gambling addicts and their families add up over time.

According to one witness's statement before the committee, studies show that the social cost of video lottery terminals is three to five times the total revenue they generate.

Honourable senators, by passing this bill, the Government of Canada will help provinces whose VLTs are costing them money, not making money, contrary to the claims of some provincial government officials.

And as for federal-provincial relations, the federal government signed agreements with the provinces in 1979 and 1985 handing over most of the responsibility for gaming to the provinces.

• (1650)

However, in Part VII of the Criminal Code of Canada, the federal government left itself some room to deal with possible future abuses.

Honourable senators, two facts convince me it is high time the federal government assumed its responsibilities and acted on this matter. The first is the fact that monitoring agencies, which authorize the provinces to issue licences to operate video lottery terminals, report to the provinces. Provincial authorities

accumulate seemingly record profits annually with their video lotteries. A number of studies by university researchers throughout Canada and by provincial governments, private institutions and social workers have established that the social costs of the video lotteries are three to five times higher than the revenues of the provincial governments. It is therefore hard to imagine that they will some day stop accumulating these hidden taxes, because they are blinded by the exorbitant amounts of money brought in by the video lottery terminals.

Furthermore, the federal government, which draws almost none of the gaming revenues, is in a much better position to defend the interests of persons with gambling problems.

The second fact is that the agreements are already a number of years, if not decades, old. When they were concluded, the provincial governments managed no video lotteries. It was impossible, at that point, to foresee the injustices they would heap upon those less well off in our society. So, for those who fear bars and restaurants will resort to using illegal video lottery terminals, I point out that the legalization of video lotteries has not eliminated organized crime. Today, the criminal world is more than ever involved in money laundering and loan sharking to the considerable detriment of compulsive gamblers.

When the bill becomes law, it will be important for the provinces to set up some sort of squad to enforce it. I am sure that can be done, since, in enforcing anti-smoking legislation, the government will have 44 inspectors and 70 building security officers who can ticket offenders. It is therefore very easy to imagine that these 114 people could also check whether the premises they visit have illegal video terminals.

Honourable senators, recent surveys have shown that the public is fed up with these bloody machines — pardon the expression. Léger Marketing, in partnership with the *Journal de Montréal*, revealed last week that more than 68 per cent of Quebecers were in favour of such a bill, while only 10 per cent opposed it. Furthermore, in another survey, the Canada West Foundation found that more than 71 per cent of the Canadian population was in favour of legislation to restrict video lottery terminals to casinos and raceways.

The time has come for the federal government to protect Canadians against the worst plague to afflict our society since the Spanish flu. Honourable senators, the federal government must act. I therefore appeal to all of my colleagues to support this bill and to immediately proceed to third reading, if only to relieve human misery.

Hon. Gerald J. Comeau (Deputy Leader of the Government): I move that this debate be adjourned.

The Hon. the Speaker: The honourable Senator Comeau, seconded by the hon. Senator Forrestall, moves that the remainder of the debate be deferred to the next Senate sitting. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Hon. Jean Lapointe: I have a question for the hon. Senator Comeau. May I?

The Hon. the Speaker: Is it a point of order or a question?

Hon. Jean Lapointe: It is a question for Senator Comeau.

The Hon. the Speaker: Yes, go ahead.

Hon. Jean Lapointe: Honourable senator, do you have an approximate idea as to when you will speak following the adjournment of this debate?

Senator Comeau: Honourable senators, we will consult our colleagues from the government side to determine who intends to speak on the bill. We will then have a better idea of how much time will be needed. At this time, however, it is impossible for me to specify the exact date on which your bill will be sent to committee.

Senator Lapointe: Honourable senators, I would like it to be referred back to the House of Commons, not to the committee.

On motion of Senator Comeau, debate adjourned.

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON CURRENT STATE OF CANADIAN MEDIA INDUSTRIES

Hon. Ferdinand Robichaud, for Senator Bacon, with leave of the Senate and notwithstanding Rule 58(1)(i), moved:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on the current state of Canadian media industries, emerging trends and developments in these industries; the media's role, rights, and responsibilities in Canadian society; and current and appropriate future policies relating thereto;

That the Committee submit its final report to the Senate no later than June 30, 2006 and that it retain until July 31, 2006 all powers necessary to publicise its findings; and

That the papers and evidence received and taken and the work accomplished by the Committee on the subject since the Second Session of the Thirty-Seventh Parliament be referred to the Committee.

Motion agreed to.

• (1700)

THE SENATE

MOTION TO URGE GOVERNMENT TO STUDY IMPACT OF LEGISLATION ON REGIONS AND MINORITIES—DEBATE ADJOURNED

Hon. Pierrette Ringuette, pursuant to notice of April 6, 2006, moved:

That the Senate urge the government to accompany all government bills by a social and economical impact study on regions and minorities in accordance to the Senate's role of representation and protection of minorities and regions.

She said: Honourable senators, I would first like to thank Senator Oliver for being the only person in his party to applaud my motion. I was truly touched. This motion is quite reasonable and logical when we consider our role as senators and the impact that legislation stemming from government policies has on regions and minorities.

For some time it has seemed to me that in this chamber and its committees we lack the analytical ability that would truly fulfill the mandate given to us on behalf of our respective regions and the minorities concerned. We are missing a key element we need to perform as effectively as we should and fulfill the role we have been given.

Some misinformed or mean-spirited individuals go so far as to say that we are not effective and not accountable. In the parliamentary process, and especially in the decision-making process of the executive branch, are not a wide range of analyses used when legislation, policies and programs are studied?

Are there not infinite hours of work and substantial amounts of public funding invested to provide these analyses in the decision-making process?

In a democratic, open and respectful process, is it not advantageous to provide the impact analyses that led to a decision and a particular piece of legislation?

In our senatorial responsibilities, has there not been in the past a variety of legislation and programs that had a devastating effect on one region or another or on a minority group?

Honourable senators, what I am proposing today is necessary, in order to enhance our effectiveness in the performance of our historic responsibilities. As you know, in 1864, at the Quebec Conference, the Fathers of Confederation laid the foundation for what would become a few years later the Parliament of Canada. They used the British model and adapted it to the Canadian reality. They gave Parliament the power to legislate in the spirit of peace, order and good government.

In 1867, Canada's founders sought to build a nation by uniting a collection of small communities, scattered over vast distances and divided by differences in economy, language, religion, law and education. Canada needed a parliament that would represent the wishes of the Canadian majority, while protecting regional and minority interests.

The Senate was created under the Constitution Act, 1867, to protect regional interests and also to provide minorities with what George-Etienne Cartier called a "power of resistance to oppose the democratic element".

The House of Commons was elected based on representation by population. In 1867, Ontario was the most populous province and its growth was the strongest, but the importance of Quebec and the Maritimes in the national economy outweighed their population size, while their interests were totally different from those of Ontario. Daring not leave matters relating to tariffs,

taxation and railways in the sole hands of a House of Commons dominated by Ontario, Quebec and the Maritimes insisted on regional representation, equal to that in the Upper House, otherwise there would have been no Confederation.

As you probably know, our Parliament is comprised of three parts: the sovereign, that is the Queen or the Governor General; the Senate, whose members are appointed, and the House of Commons, whose members are elected. Together, they provide the instruments we need to govern ourselves.

The Fathers of Confederation anticipated that Parliament would need a mechanism that would reflect the wishes of the majority, while at the same time protecting the interests of regions and minorities. This mechanism was and still is the Senate. In this respect, Georges Brown said that the Senate was the key to Confederation, the very essence of our compact. He said:

Our Lower Canadian friends have agreed to give us representation by population in the Lower House, on the express condition that they would have equality in the Upper House. On no other condition could we have advanced a step.

This principle of equality also underlies the very *raison d'être* of the Senate. John A. MacDonald stated in this respect, and I quote:

In order to protect local interests, and to prevent sectional jealousies, it was found requisite that the three great divisions into which British North America is separated, should be represented in the Upper House on the principle of equality.

[English]

That is why the Fathers of Confederation expected the Senate to play two key roles. The first was to provide a counterbalance to the democratically elected House of Commons. The second was to protect regional interests and minorities. That is why the role of protecting and representing regional interests is reflected in the structure of the Senate.

An equal voice was given to each region, originally three and later expanded to four, not considering the size of its population. This measure intended that both the less populous provinces and the predominantly French-speaking province of Quebec were to be given some protection by the Senate against the wishes of the majority of Canada's population expressed in the decisions of the House of Commons.

There are now 413 seats in Parliament of which about three quarters are in the House of Commons and one quarter in the Senate. Their distribution respects the democratic principle. The population based in central Canada has 55 per cent of all parliamentarians' seats and elects about 60 per cent of the members of the House of Commons. However, the distribution of seats also respects the regional principle — the people who live in the less populated parts of the country enjoy a majority of 54 per cent of the seats in the Senate.

[Translation]

The 105 members of today's Senate come from various backgrounds and represent all of the provinces and territories. The Senate has one third as many members as the House of Commons, and its operating budget is one fifth of the other place's.

The Senate reflects Canada's regional and cultural mosaic. It represents all of Canada's regions and provinces, and more than half of the senators represent the country's least populated regions. All three of Canada's founding peoples — Aboriginal Peoples, the English and the French — are represented in the Senate, as are several of the country's ethnic communities.

More than 30 per cent of senators are women, a much higher proportion than in other upper chambers around the world.

But representation in the Senate is not limited to geographic constituencies. Some senators speak on behalf of veterans, prisoners, the elderly, seasonal workers, the poor and the young.

During the first half of the 20th century, the Senate was dominated almost exclusively by men from three sectors: law, business and agriculture. About forty years ago, well-known Canadian journalist Grattan O'Leary was appointed to the Senate. His appointment started an important tradition: the upper chamber should always include at least one well-known journalist.

Since the appointment of Senator James Gladstone, also about 40 years ago, the Senate has always included Aboriginal senators.

• (1710)

In fact, the Senate today probably represents our country's population better than do most of the upper houses in the G7 countries. Among our senators, we have a union leader, a hockey player, a musician, an actor, teachers, doctors, farmers, engineers and even a fashion designer.

This is why the Senate has given itself the task of protecting the rights and interests of Canadians from all regions, especially minority groups and individuals who do not often have the opportunity to make their opinion known to Parliament. The make-up of the Senate has changed considerably over time and positively so for the public. We must have the instruments we need to do our job.

In 1980, the Standing Senate Committee on Legal and Constitutional Affairs identified four roles for the Senate in its *Report on Certain Aspects of the Canadian Constitution*, all complementary to functions of the House of Commons. They were: a revising legislative role; an investigative role; a regional representative role and a protector of linguistic and other minorities role. These are roles that the Senate has historically played.

Senators must accord greater importance to the regional impact of laws and policies. They are in regular contact with individuals and representatives of business, universities, schools, community groups and interest groups in their region. They are therefore in a position to ensure the interests of their regions are taken into account when government policy is formulated.

In the context of policy formulation, it is common practice for each government department to try to measure the impact of these policies not only on the public at large, but on regions and minorities, more specifically. We know, then, that such studies anticipating the effects of proposed policies and legislation already exist.

It is my opinion that senators must have access to them in order to know not only the objectives of the government, but, primarily, to know the potential positive impact of a bill presented as the government in office hopes and, if possible, in situations where there is a negative impact, to enable us to propose constructive measures to mitigate the negative effects.

Each of us has an example of legislation and programs that have had a negative impact on our regions or minorities, since Confederation or even more recently.

[English]

For Atlantic Canada, I can enumerate many examples of a national policy that has had a devastating economic impact, where tariffs were imposed and disrupted our trade pattern. One example is the building of the St. Lawrence Seaway, which removed traffic from Halifax port and the surrounding financial services. More recent examples include the change from unemployment insurance to Employment Insurance, the removal of transportation subsidies for agricultural and forest products, and the issuance of work visas for foreign workers instead of helping Canadians to acquire those jobs.

What about the National Energy Program and its impact in the West? What about the impact of various regional economic programs, from tax incentives in the 1960s to FRED, the Fund for Rural Economic Development, in 1966? Then we moved on in 1969 to the Regional Development Incentives Act, in 1973 to the general development agreements, called ERDAs, then called cooperative agreements, in 1982 to DRIE, the Department of Regional Industrial Expansion, and then in 1988 to regional agencies.

Yes, all of the above were brought in by different-striped governments. Some of these issues have been resolved with time, but others are still looming in the regions. Did the Senate do the right job at the right time for the regions on those issues?

I do not want to judge the past, but I certainly want to influence the way we proceed in the future. I will not support a government bill that is not accompanied by an impact study for the regions and for the minorities. This is the minimum that the government can do to respect our responsibilities. Proceeding without an impact study would have been like asking Dr. Keon to operate without a scalpel, or asking Tommy Banks to perform without a piano.

Honourable senators, because of our jobs, because of our historic responsibility, because of today's technology and because we know that impact studies are already conducted on legislation, it is our responsibility to ask for and obtain the tools necessary to increase our efficiency. Give us not only the tool box, but put the tools in the box.

[Senator Ringuette]

Someone recently told me that the most effective changes to an organization are those that are done from within. Senator Segal has a motion to televise the proceedings of the Senate, and I certainly agree with that. Not all Canadians understand the work that we do.

Similarly, there are changes that we need to implement in regards to the rules. It is absolutely inefficient to adjourn this motion today and receive another senator's position in 15 sitting days. The rules should be changed to five sitting days. However, we will talk about that in a later motion to review our rules. Adopting my motion is a good start.

[Translation]

This motion therefore expresses the wish that the Senate urge the government to accompany all government bills by a social and economical impact study on regions and minorities. The Senate has a historical and constitutional obligation, in accordance with the role of the Senate, to represent and protect minorities and regions.

On motion of Senator Comeau, debate adjourned.

[English]

NATIONAL SECURITY AND DEFENCE

MOTION TO CONTINUE STUDY ON NATIONAL SECURITY POLICY—ADOPTED

Hon. Colin Kenny, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the national security policy of Canada. In particular, the Committee shall be authorized to examine:

- (a) the capability of the Department of National Defence to defend and protect the interests, people and territory of Canada and its ability to respond to and prevent a national emergency or attack, and the capability of the Department of Public Safety and Emergency Preparedness to carry out its mandate;
- (b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyze and disseminate information and how these functions might be enhanced;
- (c) the mechanisms to review the performance and activities of the various agencies involved in intelligence gathering; and
- (d) the security of our borders and critical infrastructure.

That the papers and evidence received and taken during the Thirty-seventh and Thirty-eighth Parliaments be referred to the Committee; and

That the Committee report to the Senate no later than March 31, 2007 and that the Committee retain all powers necessary to publicize the findings of the Committee until May 31, 2007.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. A. Raynell Andreychuk, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Human Rights be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

• (1720)

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. A. Raynell Andreychuk, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Human Rights have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON ISSUES RELATED TO NATIONAL AND INTERNATIONAL OBLIGATIONS

Hon. A. Raynell Andreychuk, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Human Rights be authorized to examine and monitor issues relating to human rights and, *inter alia*, to review the machinery of government dealing with Canada's international and national human rights obligations;

That the papers and evidence received and taken on the subject during the First, Second and Third Sessions of the Thirty-seventh Parliament and the first session of the Thirty-eighth Parliament be referred to the Committee; and

That the Committee submit its final report to the Senate no later than March 31, 2007, and that the Committee retain until May 31, 2007 all powers necessary to publicize its findings.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Joan Fraser (Deputy Leader of the Opposition): Senator Andreychuk, I understand from this motion that this is simply for the continuance of a study already discussed and authorized by the Senate. Am I correct in that assumption?

Senator Andreychuk: It was in the previous sessions. We also have produced a report. This motion is needed so that we can continue the work we have started. The report is awaiting a government response, so we want the opportunity to receive that.

Hon. Eymard G. Corbin: I have a question as to the government's response. Is the current government obligated to respond to requests put under the previous regime?

Senator Andreychuk: It is a good question to which I do not have the answer. Perhaps the leadership does. However, it is our purpose to provide this report to the new government and treat it no differently than we treated the other government. Therefore, we want a response and we may want to call a minister.

Hon. Sharon Carstairs: As the deputy chair of the committee, it would not be asking the government to respond to a request of the previous government. They will be asked their own question and asked to respond to it.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON LEGAL ISSUES AFFECTING ON-RESERVE MATRIMONIAL REAL PROPERTY ON BREAKDOWN OF MARRIAGE OR COMMON LAW RELATIONSHIP

Hon. A. Raynell Andreychuk, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Human Rights be authorized to invite the Minister of Indian Affairs and Northern Development to appear with his officials before the Committee for the purpose of updating the members of the Committee on actions taken concerning the recommendations contained in the Committee's report entitled *A Hard Bed to lie in: Matrimonial Real Property on Reserve*, tabled in the Senate November 4, 2003;

That the papers and evidence received and taken on the subject during the First, Second and Third Sessions of the Thirty-seventh Parliament and the first session of the Thirty-eighth Parliament be referred to the Committee; and

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than March 31, 2007.

She said: Honourable senators, we have, in the Senate, taken this issue seriously. We have filed two reports. Governments continue to say that they are working on this matter and we continue to ask for action. As Senator Carstairs and I have said, we will renew a request to this government to proceed with no more studies, action for Aboriginal women.

Hon. Joan Fraser (Deputy Leader of the Opposition): Although I am not a member of this committee or its steering committee, which sets its agenda, if it wanted to move to this subject before anything else, I think that would be a very great service.

The Hon. the Speaker: Debate?

Some Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED TO CONTINUE STUDY
ON CASES OF ALLEGED DISCRIMINATION
IN HIRING AND PROMOTION PRACTICES
AND EMPLOYMENT EQUITY FOR MINORITY GROUPS
IN FEDERAL PUBLIC SERVICE

Hon. A. Raynell Andreychuk, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Human Rights be authorized to invite from time to time the President of the Treasury Board, the President of the Public Service Commission, their officials, as well as other witnesses to appear before the Committee for the purpose of examining cases of alleged discrimination in the hiring and promotion practices of the Federal Public Service and to study the extent to which targets to achieve employment equity for minority groups are being met;

That the papers and evidence received and taken on the subject during the thirty-eighth Parliament be referred to the Committee; and

That the Committee continue to monitor developments on the subject and submit a final report to the Senate no later than March 31, 2007.

She said: Honourable senators, to anticipate Senator Fraser's question, the Human Rights Committee has in the past followed studies of the Public Service Commission concerning discrimination, and we intend, from time to time, to monitor its work.

Hon. Anne C. Cools: I just took a peek at that motion, and I was curious as to why one needs a motion to ask the Senate if the committee may invite the President of the Treasury Board and the President of the Public Service Commission. Certainly, every committee has the constitutional authority to invite whomever it wishes. Why is the honourable senator asking for a vote of the Senate that this be done?

Senator Andreychuk: When we started, we wanted to alert both Houses that this committee would undertake this study. We wanted the Public Service Commission and the Treasury Board to be ready for us, as we see our role in an ongoing way. I fully appreciate we can call them, but we wanted this motion passed as a formal alert that we will do it from time to time.

Senator Cools: It seems to me that such alerts can be made to the ministry and to the members of the ministry without a conclusion of this chamber. I am just curious. For example, when Senator Day made his motion for the National Finance Committee, he did not ask that the President of the Treasury Board should come before the committee from time to time? I am not sure that it is a desirable feature in this motion, and I do not think it is a good thing for us to be doing. When one comes to the chamber to ask for authority to call a minister, it usually is a signal that the minister has been invited many times and has been delinquent, errant or reluctant.

When one asks the house by virtue of a motion to apply a bit of muscle to a minister or to apply some strength, we should be vigilant about that. Senator Andreychuk's motion would be just as effective without identifying those ministers.

Senator Andreychuk: We could delete those words, but if Senator Cools would be in agreement, I undertake to take the motion back to the committee with her concerns so that all committee members will have a chance to talk. We will come back with the amendment.

The Hon. the Speaker: What is the intent?

Senator Cools: The honourable senator has to take these concerns to the committee, so she needs a motion to adjourn the debate.

The Hon. the Speaker: We have a motion before us. It is available to an honourable senator to take the adjournment of the debate, but I wish to recognize Senator Fraser first.

Hon. Joan Fraser (Deputy Leader of the Opposition): I will be pleased to move the adjournment in a moment. While the committee is considering a modification of this term of reference, I was concerned about the possibly vague and alarming language "for the purpose of examining cases of alleged discrimination in the hiring and promotion practices." Obviously, if such practices occur, it is the Senate's duty to inquire into them, but as this motion is phrased, it sounds as if there is a great deal of discrimination being alleged now. I know nothing about these allegations. It would be appropriate for the motion either to be more specific or to be rephrased to focus on equity, fairness and non-discriminatory treatment, or some such phrase. As it stands now, when I first read it, I interpreted it as casting an enormous

slur on the Public Service of Canada without specifying the slur. If the chair of committee could take those comments into consideration when she returns to the committee, it might be appropriate. If she wants to respond, that is fine; if not, I will move the adjournment.

Senator Andreychuk: I would appreciate it if this motion could be passed, and then the committee could take it up. This is the third time that the committee has been before the Senate asking for this motion. We were at a point where we could prepare a report to question whether there is alleged discrimination.

I must say that the Public Service Commission and the official from the Privy Council indicate that there is unfairness in the practice. The motion is here because we would like to come back, report and perhaps ask for a renewed mandate on a more specific basis. It is not to impede our work because it is not a cost factor. It is to complete the work we have done, and it will take the resources that we have. I understood that Senator Cools would allow the motion to be passed with my undertaking that we would review the mandate and determine whether we would change it.

• (1730)

I would ask the leadership if they would also take that position. However, if it is the wish of the honourable senator to take the adjournment, I will yield to that wisdom.

Senator Fraser: I did not understand the initial commitment of Senator Andreychuk. My object, particularly since this motion was previously before the Senate, is not to delay the work. My object is to simply have the record show whether we are talking about a large series of specific allegations about specific cases of discrimination.

Senator Andreychuk: Therefore, I renew my request that the motion be passed. We will then be in the position to expeditiously file a report that would answer these questions.

Senator Cools: Honourable senators, I am a little lost in the process. Is Senator Andreychuk asking that this motion be adjourned today so that she can discuss in the committee that which has been debated here, or is she asking that this motion be referred back to the committee? It is not clear because separate issues have been raised.

This debate goes to the scripting of mixed motions. Motions are not meant to be combinations of different, distinct propositions. A senator should be able to vote on one issue without voting on another contrary proposition. I want this committee to continue to do its good work. However, I do not want the notion to be created or reinforced that in order for a committee to call a minister it needs to have a motion to that effect passed in this chamber. That is the danger of doing this sort of thing. I would be eager to have the identification of the ministers deleted from the motion.

Senator Andreychuk said that she would take these concerns back to the committee but then she immediately said that she wants the motion passed as is. I do not quite understand. I have difficulty with that. She is either prepared to amend it or she wants it passed as is.

MOTION IN AMENDMENT

Hon. Sharon Carstairs: For purposes of clarification, I wish to move the following amendment to this motion:

That the motion be amended in the first paragraph by deleting after the word "invite" the words "from time to time the President of the Treasury Board, the President of the Public Service Commission, their officials, as well as other".

In other words, we would delete the phrase, "from time to time the President of the Treasury Board, the President of the Public Service Commission, their officials, as well as other..." That would give the committee the authority to invite whomever it wishes to invite.

The Hon. the Speaker: Honourable senators, we have an amendment to the motion. It is moved by Senator Carstairs, seconded by Senator Cools, to strike the words after the word "invite" in the second line to and including the word "other."

Hon. Tommy Banks: Would the mover of the amendment consider an amendment to the amendment?

Senator Cools is exactly right. This would imply, even with the deletion that Senator Carstairs has suggested, that in order to conduct a study a committee must come to the Senate to ask for permission to call witnesses. I would suggest that the motion read:

That the Standing Senate Committee on Human Rights be authorized to examine the hiring and promotion practices of the Federal Public Service...

That wording would achieve the desired end and obviate the suggestion that Senate committees need to come to the chamber for permission to call witnesses, which they do not.

Senator Carstairs: I consider that a friendly amendment and would accept that wording. I understand that the motion would now read:

That the Standing Senate Committee on Human Rights be authorized to examine cases of alleged discrimination in the hiring and promotion practices —

Hon. Joan Fraser (Deputy Leader of the Opposition): Not "cases of alleged cases of discrimination."

Senator Carstairs: I did not hear Senator Banks remove "alleged cases of discrimination." The reality is that the public service has set targets and has not met them. That has been proven to us by witnesses on at least two occasions in two different sessions of Parliament.

I would ask for further clarification from Senator Banks.

Senator Banks: For clarification, I will read the entire proposed motion. It is a friendly amendment. The motion is that Motion No. 20 be amended to read:

That the Standing Senate Committee on Human Rights be authorized to examine the hiring and promotion practices of the Federal Public Service and to study the extent to which targets to achieve employment equity for minority groups are being met;

The next paragraphs should remain as they are.

Hon. Percy Downe: I disagree with the amendment proposed by Senator Banks. Alleged discrimination is not a finding of discrimination. Senator Carstairs has made the point quite clearly.

I would also refer Senator Andreychuk and the other members of the committee to the speech given in the last session by our colleague Senator Oliver, who has done detailed work on this file. As I recall, he referenced a number of examples of alleged discrimination. I think it is a matter the committee should study. The government has targets; they have failed to meet those targets. We have heard excuses year after year for why they cannot be met. There is a problem. The protection of minorities is one of the major mandates of this chamber and we should follow that up in the committee.

Hon. Gerald J. Comeau (Deputy Leader of the Government): I move the adjournment of the debate.

Senator Fraser: May I speak briefly before adjournment is moved?

I very much like the subamendment of Senator Banks and would speak in support of it. It is obviously one of the core functions of this chamber to inquire into any possible abuse of minority rights. My difficulty with the original wording of this motion was that it seemed to me to be raising questions not of systemic discrimination but of specific individual discrimination. There is an important difference.

• (1740)

I understand that the committee members do not want to reveal their report before the report is done, but my sense of what they have been looking into comes more under the category of systemic discrimination. I am perfectly willing to believe that there is a great deal of it, and it did not take Senator Oliver's speech, wonderful though it was, to persuade me of that. I think it is a fine topic for inquiry, but I was concerned at the suggestion that there were many individual racists tucked away in the public service doing nefarious work there. If there are, I assume the report would tell us. Until such time as there are, I would prefer the language in Senator Banks' sub-amendment because it seems to me it covers precisely the area. It covers all the possible needs of this inquiry without leaving aspersions on the record that may or may not be borne out in time.

The Hon. the Speaker: The chair will try to be helpful. Procedurally, we have a motion that has been moved, seconded and put before the house, and an amendment has been moved,

seconded and put before the house. At this stage, all that is before the house is the main motion and the amendment of Senator Carstairs. If there is to be another sub-amendment, that procedure is available to us.

Senator Comeau has indicated that he is interested in adjourning the debate. However, our practice here is to try to allow all points to be heard before that is done.

If there are no further amendments, we are on the debate of Senator Carstairs' motion that has been duly put before us and seconded. She has spoken, and she has the right to speak now.

Senator Carstairs: Honourable senators, I would reiterate for you that we are in the midst of a study that is based on the wording in this motion. I do not disagree with Senator Cools' statement that there is no particular need to mention individuals in the motion, but if we amend it further, we are changing the study that we are in the midst of conducting. That may be a good idea, but it will be a brand new study; it will not be the study on which we have had two references from this chamber and ongoing discussions through two sessions of Parliament. With the greatest respect, I have no difficulty with Senator Cools' amendment, which makes no material difference to the motion, but I have serious problems with material changes to the motion that would have the Human Rights Committee actually studying something different.

MOTION IN AMENDMENT MODIFIED

Hon. Anne C. Cools: Honourable senators, if I could add a few words to this debate, I think Senator Banks was making a good point to the extent that he was trying to say that the committee does not have to come here to ask if it can hear witnesses.

In response to Senator Carstairs, it seems to me that the original integrity of the study will be maintained if the motion was to read as follows:

That the motion be amended in the first paragraph by deleting after the words "authorized to" the words "invite from time to time the President of the Treasury Board, the President of the Public Service Commission, their officials, as well as other witnesses to appear before the Committee for the purpose of examining", and adding the word "examine" before the words "cases of alleged".

It is exactly the same study. Nothing would be altered in the character of the study. No material change would be made. The only thing the motion does not do is to ask the Senate, first, for authority to bring the ministers and, second, to bring witnesses, which two authorities the committee has anyway. If I could offer this as a subamendment, then I think the motion could be put and carried today.

Hon. Sharon Carstairs: Senator Banks was going further than that. What Senator Cools has suggested is within the spirit of what we have been studying, and I do not think we would have any difficulty with that.

The Hon. the Speaker: I take it Senator Carstairs is accepting that last comment as another friendly amendment.

The motion as amended by the amendment made by Senator Carstairs is to the effect:

That the Standing Senate Committee on Human Rights be authorized to examine cases of alleged discrimination in the hiring and promotion practices of the Federal Public Service and to study the extent to which targets to achieve employment equity for minority groups are being met;

That is the amendment that we are voting on. Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion in amendment as modified?

Hon. Senators: Agreed.

The Hon. the Speaker: Is it your pleasure to adopt the motion as amended?

Motion, as amended, agreed to.

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO STUDY INTERNATIONAL OBLIGATIONS REGARDING CHILDREN'S RIGHTS AND FREEDOMS

Hon. A. Raynell Andreychuk, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Human Rights be authorized to examine and report upon Canada's international obligations in regards to the rights and freedoms of children.

In particular, the Committee shall be authorized to examine:

- Our obligations under the United Nations Convention on the Rights of the Child; and
- Whether Canada's legislation as it applies to children meets our obligations under this Convention.

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament be referred to the Committee; and

That the Committee present its final report to the Senate no later than December 31, 2006 and that the Committee retain until March 31, 2007 all powers necessary to publicize its findings.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

[Translation]

OFFICIAL LANGUAGES

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON OPERATION OF OFFICIAL LANGUAGES ACT AND RELEVANT REGULATIONS, DIRECTIVES AND REPORTS

Hon. Maria Chaput pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Official Languages be authorized to study and to report from time to time on the application of the *Official Languages Act* and of the regulations and directives made under it, within those institutions subject to the Act;

That the Committee be authorized to study the reports and papers produced by the Minister of Official Languages, the President of the Treasury Board, the Minister of Canadian Heritage and the Commissioner of Official Languages, as well as any other material concerning official languages generally;

That papers and evidence received and taken during the Thirty-eighth Parliament be referred to the Committee;

That the Committee report from time to time to the Senate but no later than June 30, 2007.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I would like the Senate to have a little idea of what this is about.

Senator Chaput: Honourable senators, this is a motion traditionally put forward in the Senate by the Standing Committee on Official Languages. It deals with the work undertaken during the year by this committee and allows the committee to chart its future business on the basis of the reports and documents received from the four departments mentioned in the motion, as well as papers and evidence received.

It is from this evidence and these reports, studies and analyses that we draw our recommendations.

Senator Fraser: Senator Chaput, have you selected a department as a priority, or is this yet to be determined?

Senator Chaput: Honourable senators, the committee will meet to determine what its future business will be. It will establish priorities in terms of the departments, the reports for consideration and the ministers with whom it should meet. That will be part of the consideration of future business.

[English]

Hon. Anne C. Cools: Are these documents produced by those individuals themselves, or are these departmental papers and documents?

Senator Chaput: They are departmental.

[Translation]

Hon. Eymard G. Corbin: Honourable senators, it seems to me that this motion is perfectly in order, as the *Rules of the Senate of Canada* state:

The Standing Committee Official Languages, composed of nine members, four of whom shall constitute a quorum, to which may be referred, as the Senate may decide, bills, messages, petitions, inquiries, papers and other matters relating to official languages generally.

I do not see the problem. The request is totally in keeping with what the *Rules of the Senate of Canada* state.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

• (1750)

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Maria Chaput, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Official Languages have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Maria Chaput, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Official Languages be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

[English]

NATIONAL FINANCE

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Joseph A. Day, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on National Finance have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Joseph A. Day, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on National Finance be authorised to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Catherine S. Callbeck, for Senator Fairbairn, pursuant to notice of April 26, 2006, moved:

That Standing Senate Committee on Agriculture and Forestry have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

**ENERGY, THE ENVIRONMENT
AND NATURAL RESOURCES****COMMITTEE AUTHORIZED
TO PERMIT ELECTRONIC COVERAGE**

Hon. Tommy Banks, pursuant to notice of April 26, 2006, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Tommy Banks, pursuant to notice of April 26, 2006, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

AGRICULTURE AND FORESTRY**COMMITTEE AUTHORIZED
TO PERMIT ELECTRONIC COVERAGE**

Hon. Catherine S. Callbeck, for Senator Fairbairn, pursuant to notice of April 26, 2006, moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

[Translation]

ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

Hon. Gerald G. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, May 2, 2006, at 2 p.m.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, May 2, 2006 at 2 p.m.

THE SENATE OF CANADA

PROGRESS OF LEGISLATION

(indicates the status of a bill by showing the date on which each stage has been completed)

(1st Session, 39th Parliament)

Thursday, April 27, 2006

(*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25							
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25							

GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05							
S-202	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	06/04/05							
S-203	An Act to amend the Public Service Employment Act (priority for appointment for veterans) (Sen. Downe)	06/04/05							
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	06/04/05							

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CANADA

Debates of the Senate

1st SESSION

•

39th PARLIAMENT

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VOLUME 143

•

NUMBER 8

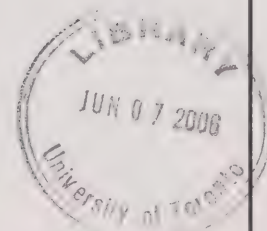
OFFICIAL REPORT
(HANSARD)

Tuesday, May 2, 2006

—◆—

**THE HONOURABLE NOËL A. KINSELLA
SPEAKER**

This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.



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(Daily index of proceedings appears at back of this issue).

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Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Tuesday, May 2, 2006

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

TRIBUTES

THE LATE HONOURABLE
DUNCAN JAMES JESSIMAN, Q.C.

The Hon. the Speaker: Honourable senators, pursuant to rule 22(10) of the *Rules of the Senate*, the Leader of the Government has requested that the time provided for consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Duncan James Jessiman, former senator, whose death occurred on April 19, 2006.

I remind honourable senators that, pursuant to the *Rules of the Senate*, each senator will be allowed three minutes to speak once only and the time for senators' statements shall not exceed 15 minutes.

Hon. Terry Stratton: Honourable senators, I rise today to pay tribute to the late Honourable Duncan James Jessiman. Senator Jessiman began his service to Canada when, at the age of 18, he joined the Royal Canadian Navy as midshipman. In that capacity he served in the coastal forces in Canada, the United Kingdom and France. He served with the 29th Canadian Motor Torpedo Boat Flotilla and participated in the Allied liberation of Europe on D-Day — June 6, 1944 — and other in operations on the French, Belgian and Dutch coasts. After surviving the destruction of his flotilla off the coast of the France, he always considered himself one of the luckiest and most blessed individuals.

[Translation]

Upon returning to Canada, Senator Jessiman pursued his education and earned his LL.B., then began to practice in 1948. He was appointed Queen's Counsel in 1959.

[English]

He was a lifelong member of the Progressive Conservative Party of Canada and became a senator in 1993. He took great pride in his work in the Senate, where he served on numerous committees.

In his community, Senator Jessiman participated in the Rotary Club of Winnipeg, eventually becoming president; in the University of Winnipeg, where he became chairperson of the board; and in the Victoria General Hospital Research and Services Inc., of which he was a founding member, chairperson of the board and executive committee member. He also served as a director of Air Canada.

• (1410)

[Translation]

He was always proud of his irreproachable honesty and his careful attention to detail in complex matters.

He was a witty man known for his powers of concentration. He was able to direct all of his attention to the matter at hand, usually for the benefit of others.

His great determination was legendary, and people could always count on him. Everyone admired his strength, his energy and his good spirits. He will certainly be missed.

[English]

In closing, I would like to add a little personal note about Duncan's sense of humour. The priest at St. George's Anglican Church where the funeral was held last Tuesday gave sermons every Sunday and on Wednesday mornings. The priest soon realized that Duncan attended both the Sunday service and the Wednesday service. After seven weeks, the priest approached Duncan and asked him why he felt it necessary to attend both services. Duncan's response, and I want you to pay attention to this, honourable senators, was, "I am cramming for my final exam."

[Translation]

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, the Honourable Duncan James Jessiman was a man of great distinction. He always served his community, this institution and our country with devotion and loyalty. I am honoured to pay tribute to him by recalling some of the highlights of his public and private career.

Senator Jessiman enlisted in the Canadian Navy at the age of 18 and participated in the Allied liberation of Europe in 1944. With the late Senator Gigantès and former Senator Phillips, he was among the last three of our colleagues to have fought in the Second World War.

[English]

He was appointed to the Senate in 1993 by Prime Minister Brian Mulroney and brought to our chamber the leadership, knowledge and experience he acquired, while serving as an officer in the navy, a lawyer, a university lecturer and a volunteer in his community.

As a member of the Subcommittee on Veterans Affairs, he pushed for better medical care for veterans and helped in the development of common ground, consensus and agreement regarding the new war museum.

As a member of the Standing Senate Committee on Legal and Constitutional Affairs and numerous others, he used his skills as a jurist and negotiator to raise, explain and defend legitimate concerns about various issues on legislation.

On his retirement from the Senate, he was variously described as an "ornament to this house," "a great friend and gentleman filled with energy, enthusiasm and brilliance" and "possessed of an uncanny ability to dissect legislation."

Senator Jessiman retired from the chamber amid the glowing praise of his colleagues and I know his passing leaves all of us who knew him with a sense of loss. On behalf of my colleagues on this side, I wish to extend my condolences to his wife Alix, his children and his grandchildren.

• (1415)

Hon. David Tkachuk: Honourable senators, on June 4, 1998, I paid tribute to Senator Jessiman on his retirement from the Senate. I wished him a long and healthy retirement. It has been eight years, and there is no doubt he packed a long and healthy retirement into those eight years.

Born in 1923, Dunc belonged to what Tom Brokaw called "the greatest generation." He came of age during the Depression and at 18 joined the Canadian Navy. He served during the Second World War, seeing action on the French, Belgian and Dutch coasts as part of the 29th Canadian Motor Torpedo. On June 6, 1944, he participated in D-Day; and the year following, he was one of the few to survive the destruction of his squadron at Ostend. These days, people of 18 go looking for adventure. In Dunc Jessiman's time, adventure found them. He and his peers rose to meet challenges that we today can hardly imagine.

He was born in hardscrabble times. His mother died when he was only nine; and he lived to see both his father and two brothers pass away before him.

In 1948, he graduated from the faculty of law at the University of Manitoba, and soon after established himself in the legal profession in Manitoba. He had a stellar career as a lawyer and as a member and volunteer of the Progressive Conservative Party in Manitoba and the Progressive Conservative Party of Canada, before landing here in the Senate the same year I did.

The Senate is where I came to know and admire Senator Jessiman. We served, along with Senator LeBreton, the late Senator Finlay MacDonald and Senator John Lynch-Staunton on the Pearson Airport inquiry. Senator Jessiman had thorough work habits and an astonishing propensity for hard work. He had boundless energy and was highly embarrassed at the blue language that Senator Finlay MacDonald and I would use sometimes. He was even more shocked that Senator LeBreton would listen to it.

I was gratified to see that in one of the obituaries that I read that the Senate seemed to mean as much to Dunc as he did to the Senate. The article quoted his son, who said:

My father loved the Senate....he thought it was one of the greatest things he had gotten involved in.

That is no small praise coming from a man who had done so much in his life. I think it is fair to say that for us sitting here in this chamber, it was one of the greatest things that he did, getting involved with us and our caucus and this institution.

God bless you, Dunc.

Hon. Sharon Carstairs: Honourable senators, I rise today in sadness to pay tribute to the late Duncan Jessiman, Q.C.

Duncan and I not only had five years together in this chamber, we also lived for a number of years in the same small condo project in Winnipeg. Indeed, I think I was the first to arrive at his home, just four doors away from mine, with a bottle of champagne when he was appointed to the chamber.

He dearly wanted to be here. I think that was very clear in discussions I had with him before that actual appointment. In fact, he used to tell me that the former prime minister, Brian Mulroney, used to call him "senator" long before he was appointed to this place.

As Senator Tkachuk said, he truly loved this place. He worked very hard here, but he also kept an open mind on issues. We witnessed this particularly on the special committee on drugs, when he went from a hard-line position to an understanding that our present drug laws were not working and that changes were necessary.

Our colleague, Senator Massicotte, asked me to say the following — sentiments with which I completely concur. I quote from a letter that Senator Massicotte has written to the family.

Duncan was a model of an intelligent, very active but caring person, with a high integrity in business. He was impressive to all who met him. He was very special and even had an important role-model influence in my own early business life. I was very respectful and fond of him, which even led to our own friendship. He generously gave and brought a lot to many people.

He was, indeed, a very special man who touched many and he will be missed. My condolences to Alix, his children and his grandchildren, of whom he was so very proud.

Hon. Anne C. Cools: Honourable senators, I too would like to pay tribute to dear Senator Duncan Jessiman. I join all honourable colleagues in this role.

I must say that in listening to Senator Stratton's remarks about Duncan, and about his visits to church, I was reminded of 2 Timothy 4:7, where it says:

I have fought a good fight, I have finished my course, I have kept the faith.

About Duncan Jessiman, we can truly say that at all times he kept the faith.

• (1420)

Duncan Jessiman was a very special and wonderful human being. He was a very nice and kind man. He told me on one occasion that even though he had served as a veteran, he only really appreciated the sacrifice and the duty he had shown after coming to the Senate. He told me once that coming to the Senate helped him understand many things that he had not given sufficient thought to.

As we know, he was a veteran of World War II. He served with me on the Subcommittee on Veterans Affairs when, as honourable senators will recall, we fought hard for the war museum.

To my mind, Senator Jessiman's greatest contribution as a senator was around the questions of divorce, child support and child custody. I am sure that all here will recall back in 1996 to 1997 when Senator Jessiman and I spearheaded the movement in this chamber to amend a particular divorce bill to reinstate the entitlement of children to the financial support of both parents, mothers and fathers.

Senator Jessiman and I proposed that a special joint committee on custody and access after divorce be constituted. Senator Jessiman shared with me a sincere and strenuous commitment to the notion that after divorce, children should have meaningful involvement with both parents and the financial and emotional support of both parents. That seemed so obvious to me, but to many in certain ideological quarter of this country, that view is not widely held.

This is a final testament in a way to this very nice and wonderful man. Many senators have come here and they have served. When leaving here, I heard Senator Jessiman identify his staff by name and thank them in personal ways. I remember being touched by that.

I would like to read a poem by William Ernest Henley that has meant a lot to me in my life on different occasions. Senator Jessiman was a man who fought for many causes. The older honourable senators here would know the poem called *Invictus*. Senator Jessiman touched me in a certain way, and when he retired, I read this poem into the record. I would like to read it again:

Out of the night that covers me,
Black as the Pit from pole to pole,
I thank whatever gods may be
For my unconquerable soul.

In the fell clutch of circumstance
I have not winced nor cried aloud,
Under the bludgeonings of chance
My head is bloody, but unbowed.

Beyond this place of wrath and tears
Looms but the horror of the shade,
And yet the menace of the years
Finds, and shall find me, unafraid.

It matters not how strait the gate,
How charged with punishments the scroll,
I am the master of my fate:
I am the captain of my soul.

Honourable senators in closing, I would like to say Senator Jessiman was a good man, a good husband, a good father, a good grandfather, a good friend, a good senator and a good veteran.

• (1425)

Hon. W. David Angus: Honourable senators, I wish to add my personal reflections on the passing of the late Senator Jessiman, especially as I was absent from Ottawa on June 4, 1998, when a number of fine tributes were made to honour Senator Jessiman on the occasion of his retirement from this place.

I was first introduced to Duncan James Jessiman — or DJJ, as he was fondly known — in 1967 by my partner, the late Heward Stikeman, in our Montreal law office. Duncan was an old friend of Heward's, and he was in town looking for money and volunteers to support the campaign of Duff Roblin for leadership of the Progressive Conservative Party of Canada. Heward volunteered me, and thus began my career as a Tory fundraiser on a national scale.

Two things stand out in my memory of the Roblin campaign, other than the disappointment our team felt when Duff ultimately lost out in the final ballot to the Right Honourable Robert L. Stanfield. One was the passionate interest Manitobans had in national politics. Duff Roblin had all his cabinet ministers around him, and I particularly remember Sidney Spivak, whose spouse, Mira, is one of our colleagues in this chamber; Sterling Lyon, Walter Weir and then people like Bill Gardner, Nate Nurgitz, and the MacDonalds. This was a group of people so passionate about politics that even if one had no interest at all, you could not leave a room at the Royal York without becoming hooked for life.

The other thing that stands out was the power and influence of Duncan James Jessiman in that era as both a federal and provincial Progressive Conservative fundraiser in Manitoba. I had the great experience of traversing back and forth across our great country with him in 1967, Canada's centenary year, raising money and recruiting delegates for the Roblin campaign; a memorable experience, which was repeated eight years later when Duncan and I criss-crossed the nation one more time, this time on behalf of a young Brian Mulroney, who was making his first bid for the party leadership at a convention to be held on February 22, 1976 in this town.

My friend Duncan Jessiman was a man who passionately loved Canada. He loved Manitoba, and he loved the PC Party. Indeed, he loved life in all its aspects. He had a real zest for life, and was full of energy, enthusiasm and ambition. He gave his all in everything he did; he wanted to be the best, number one. He was a talented and successful corporate attorney, as well as a shrewd and canny businessman and investor.

He also had a humorous side, and he loved to party. He fancied himself the best, most light-footed ballroom dancer west of the Ottawa River, and he could cut a fine rug wherever and whenever the music was playing and a comely partner was available. I remember two occasions when Duncan visited Montreal during the Christmas season and made the rounds of the law firm

Christmas parties which were held in the downtown hotels. I would not say that he was crashing these parties; he was simply showing up, and he would trip the light fantastic with a bevy of young and not-so-young Québécoise advocates.

Duncan Jessiman was a dear, loyal friend and mentor, who was a great influence in getting me interested in Canadian politics in a national way. I have a myriad of happy memories about the experiences I was privileged to share with him. I mourn his passing, and will miss him. My sincere condolences to the Jessiman family. May he rest in peace.

NATIONAL HOSPICE PALLIATIVE CARE WEEK

Hon. Sharon Carstairs: Honourable senators, quality end-of-life care for the dying is an issue that touches Canadians from coast to coast to coast. However, although there are more than 430 hospice palliative care programs and services listed by the Canadian Hospice Palliative Care Association on their website, most of those working in the field still estimate that no more than 15 per cent of Canadians have access to hospice palliative care. For children, that figure falls to 3.3 per cent, according to a recent Canadian Institute for Health Research project.

May 1 to 7 is National Hospice Palliative Care Week, an occasion for Canadians to reflect on the importance of living well until the end, and to showcase the work and achievements of palliative care programs and services across Canada. This year's theme, "My Living, My Dying. Informed, Involved and In-Charge ... Right to the End!" is focused on the needs of Canadians to discuss their end-of-life wishes with their friends, families and doctors.

Advance care planning, as we learned in two different Senate studies on this issue, is an essential part of the process of living well until the end as often the most important aspect of advance care planning is the discussion held with loved ones about the needs and wishes of the dying individual.

• (1430)

To mark the end of National Hospice Palliative Care Week, on Sunday, May 7, 2006, thousands of people across Canada will lace up their sneakers and hiking boots to support the Fourth Annual Hike for Hospice Palliative Care. Although I have participated in this walk for the previous three years, I will not be able to this year as I will be in Nairobi with the Inter-Parliamentary Union. However, I wish all participants at the more than 100 sites of the hike across Canada all the best and assure them I am with them in spirit.

[Translation]

MR. HUGH MCFADYEN

CONGRATULATIONS ON BECOMING LEADER OF PROGRESSIVE CONSERVATIVE PARTY OF MANITOBA

Hon. Terry Stratton: Honourable senators, I rise today to offer my congratulations to Hugh McFadyen, who was the victor at the leadership convention of the Progressive Conservative Party of Manitoba on Saturday, April 29, 2006.

[English]

He was president of the youth of the Progressive Conservative Party of Manitoba when I ran the elections in Manitoba in the 1980s. He did a superb job in 1984 and 1988. He is also a world-class curler, winning the Canadian junior crown and qualifying for the Olympic trials.

Mr. McFadyen is married with two young children under the age of four. Professionally, he is a lawyer and served as a top adviser to both Winnipeg Mayor Sam Katz and former Premier Gary Filmon. He currently is a member of the Legislative Assembly of the Province of Manitoba in the constituency for Fort Whyte.

I have known Hugh since he was the president of the Progressive Conservative youth. Having known him for such a length of time, I have come to know his character and his integrity. I firmly believe that this individual will be the next premier of Manitoba.

THE LATE JOHN KENNETH GALBRAITH, O.C.

Hon. Jeremiah S. Grafstein: Honourable senators, I rise to pay tribute to the late and great John Kenneth Galbraith. John Kenneth Galbraith: an imposing name for an imposing figure and a most imposing and formidable mind.

In 1958, in my final year at law school, I read a book, *The Affluent Society*, written by John Kenneth Galbraith. That book had a major influence on my youthful and impressionable mind. Suddenly, economics, law, political science and sociology, which I all struggled with at Western, came together for me and demonstrated what was possible with a liberal political attitude and mind.

In 1961, I founded a journal called "The Journal of Liberal Thought" to generate liberal ideas. I wrote to John Kenneth Galbraith and he responded. He went further and articulated and assisted me in things that I should explore and people I should contact to assist, including Barbara Ward, who, at that time, wrote a stunning article for that journal.

Mr. Galbraith and I shared common roots, I discovered. We were both born in southwestern Ontario. Both his father and my father were Liberal Party workers. We considered ourselves true Grits and shared an early admiration for Mitch Hepburn when he was on the rise — not in his latter years.

Mr. Galbraith and I kept in touch. I read each and every one of his books. In 1974, when wage and price controls were issues in the land — and senators on the other side will recall that time — Mr. Trudeau could not make up his mind about what to do after the election, having fought the election against wage and price controls. The last person he saw who convinced him that wage and price controls were possible was John Kenneth Galbraith. Mr. Galbraith was influential in that regard because one of the most important pieces of work that he had done during the war was a study of wage and price controls.

John Kenneth Galbraith's career as a gadfly, writer, diplomat, political speech writer and an adviser was scintillating. He could write with great panache. He had wit and he could turn a phrase. He coined the phrase "conventional wisdom" and once told me that conventional wisdom is usually always wrong or always late. He was a contrarian.

• (1435)

In 1997, the Governor General saw fit to award Mr. Galbraith the highest honour we can bestow on a Canadian, the Order of Canada. I was privileged to be one of the few to be invited to that ceremony.

After his passing, Mr. Galbraith's son said that his father was not dead. His father was alive. He was alive in his words, in his thoughts, in his books. I believe, honourable senators, that the best way to judge John Kenneth Galbraith is to read once again each and every one of his books. He had much to say to my generation, and I think he has much to say to the present generation.

His ideas are alive. He will live on. He will be missed. We offer our condolences and our best wishes to his children and his grandchildren.

CATERING TO THE UNITED STATES

Hon. Pierrette Ringuette: Honourable senators, it seems that Canada has a new booming business in the international catering industry. Since its inception, it has generated billions of dollars to the U.S. economy.

Honourable senators, this new catering business is named "Harper's U.S.A. Catering," and was created by the Prime Minister at a first meeting in Mexico: catering to the U.S.A. in agreeing to the border ID card that will cost billions of dollars to the Canadian economy and cause a decrease in traffic for our tourism industry, in addition to our retail industry; catering to the U.S.A. in agreeing to forego the free trade agreement; catering to the U.S.A. in agreeing to funding from our Canadian forest industry of over \$1 billion to the U.S. forest industry to do research and development and to devise a market strategy so that the U.S. forest industry can more aggressively compete against us in the global market; and catering to the U.S. in agreeing to a renewed and expanded NORAD without consulting Canadians and parliamentarians.

Unfortunately, this Harper's U.S.A. catering business has reduced job creation and economic development in Canada. Billions of dollars of the Canadian economy have been sacrificed to create this new and fast-growing Harper U.S.A. catering business, and all of that with just one meeting.

God bless Canada. If there is one more meeting, as for me, I say, "Vive le Canada!"

SPIRIT OF ALBERTA

SMITHSONIAN FOLKIFE FESTIVAL

Hon. Tommy Banks: Honourable senators, I wish to refer in a different way to the United States by way of information only and invitation. From June 26 until July 11 in the coming summer,

Washington, D.C. will be alive with a different kind of partying: the sounds, the sights, the tastes, the innovative ideas and the spirit of Alberta. The culture of Alberta — and I mean "culture" with a small "c" — will be seen, heard, tasted and felt on The Mall in the U.S. capital. It is a mall that is even bigger than the one we have in Edmonton.

The event is the Smithsonian Folklife Festival. The visit by hundreds of creative Albertans of every stripe is under the aegis of the Smithsonian Institution and is the first time in the festival's 40-year history that a Canadian province has been given and has taken the opportunity to make ourselves better known to our neighbours — and that is "neighbours" spelled carefully with a "u."

Denis Ducharme, Alberta's Minister of Community Development, says that the program represents the many faces of our province: our ethnic diversity, industry, urban sophistication, rural art, artistic expression and technological innovation.

If honourable senators or their friends are in the Washington area during that time, they can make a short side trip to Alberta-On-The-Mall in Washington, D.C.

[Translation]

ROUTINE PROCEEDINGS

INFORMATION COMMISSIONER

SPECIAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, a special report by the Information Commissioner of Canada entitled *Response to the Government's Action Plan for Reform of the Access to Information Act* pursuant to section 39.1 of the Access to Information Act.

• (1440)

[English]

LEGAL AND CONSTITUTIONAL AFFAIRS

REPORT PURSUANT TO RULE 104 TABLED

Hon. Lorna Milne: Honourable senators, pursuant to rule 104 and on behalf of the chair, Senator Oliver, I have the honour to table the first report of the Standing Senate Committee on Legal and Constitutional Affairs, which deals with the expenses incurred by the committee during the first session of the Thirty-eighth Parliament.

(For text or report, see today's Journals of the Senate, p. 81.)

CANADA ELECTIONS ACT INCOME TAX ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-4, to amend an Act to amend the Canada Elections Act and the Income Tax Act.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Comeau, with the leave of the Senate and notwithstanding rule 57(1)(f), bill placed on the Orders of the Day for second reading at the next sitting of the Senate.

[Translation]

CANADA-JAPAN INTER-PARLIAMENTARY GROUP

VISIT TO ISLAMIC REPUBLIC OF PAKISTAN,
NOVEMBER 12-15, 2005—REPORT TABLED

Hon. Marie-P. Poulin: Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report by the Canadian delegation of the Canada-Japan Inter-Parliamentary Group of its parliamentary visit to the Islamic Republic of Pakistan from November 12 to 15, 2005.

ASIA-PACIFIC PARLIAMENTARY FORUM

MEETING OF ASIA-PACIFIC PARLIAMENTARIANS,
JANUARY 15-19, 2006—REPORT TABLED

Hon. Joseph Day: Honourable senators, pursuant to rule 23(6), I have the honour of tabling in the Senate, in both official languages, the report by the Canadian delegation of the Canada-China Legislative Association on its participation in the fourteenth meeting of the Asia-Pacific Parliamentarians Forum in Jakarta, Indonesia, from January 15 to 19, 2006.

[English]

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO CONTINUE STUDY ON INVOLVEMENT
OF ABORIGINAL COMMUNITIES AND BUSINESSES
IN ECONOMIC DEVELOPMENT ACTIVITIES

Hon. Gerry St. Germain: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Aboriginal Peoples, in accordance with rule 86(1)(q) of the Senate, be authorized to examine and report on the involvement of Aboriginal communities and businesses in economic development activities in Canada. In particular, the Committee shall be authorized to investigate elements that

enable Aboriginal communities and businesses to succeed and obstacles to their achievement in all areas of the economy, including but not limited to: large-scale industrial developments such as pipelines; non-renewable resource developments in oil, gas and mining; renewable resource development; tourism; business services; and other related matters;

That the papers and evidence received and taken during the First Session of the Thirty-Eighth Parliament be referred to the Committee;

That the Committee report to the Senate from time to time, but no later than June 30, 2007 and that the Committee retain until September 1, 2007, all powers necessary to publicize its findings.

• (1445)

[Translation]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO STUDY PROCEDURE FOR REINTRODUCING BILLS
FROM PREVIOUS PARLIAMENT

Hon. Céline Hervieux-Payette: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Committee on Rules, Procedures and the Rights of Parliament study and make the necessary recommendations on the advisability of amending Senate practice so that bills tabled during a parliamentary session can be reintroduced at the same procedural stage in the following parliamentary session, with a view to including in the *Rules of the Senate*, a procedure that already exists in the House of Commons and would increase the efficiency of our parliamentary process; and

That the committee report to the Senate no later than June 8, 2006.

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO STUDY RELOCATION OF DEPARTMENTAL
HEAD OFFICES AND THE IMPACT ON
THE OFFICIAL LANGUAGES ACT

Hon. Claudette Tardif: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Official Languages study and report its recommendations to the Senate on the following no later than June 14, 2007:

1. The relocation of federal department head offices from bilingual to unilingual regions and its effect on the employees' ability to work in the official language of their choice;

2. The measures that can be taken to prevent such relocations from adversely affecting the application of Part V of the *Official Languages Act* in these offices, and the relocated employees' ability to work in the official language of their choice.

[English]

LEGAL AND CONSTITUTIONAL AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Lorna Milne: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Lorna Milne: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Legal and Constitutional Affairs have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

QUESTION PERIOD

THE SENATE

ABSENCE OF MINISTERS

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I note that ministers are not present and, while we can put questions to committee chairs, I draw to the attention of the Leader of the Government in the Senate by way of notice that our Daily Routine of Business is a very important part of our work here each day. In the absence of ministers, we are unable to complete that part of our work.

On reliable information from my friend across the aisle, I am told that there are ministers present for Question Period in the other place.

Therefore, the questions I leave for the Leader of the Government in the Senate are, why are ministers not here today, and what steps will be taken to avoid this happening again? What is the extraordinary circumstance that keeps the ministers from attending today?

[Senator Tardif]

It is not unknown for ministers to be absent but — it is extraordinarily rare that they are absent from the Senate when they are present in the city or in the building.

• (1450)

Hon. Tommy Banks: Could the Deputy Leader of the Government in the Senate tell the house whether there will be Question Period at the House of Commons today?

[Translation]

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, we advised you before question period that the minister responsible would not be present today. Your questions will be noted and passed on to the minister.

[English]

Hon. Sharon Carstairs: Honourable senators, would the Deputy Leader of the Government in the Senate take as notice the question if the reason for the absence of the two ministers from this chamber is that there is a Cabinet meeting, is this once again an interpretation of the view of the Harper government with respect to this chamber?

[Translation]

Senator Comeau: Honourable senators, the minister responsible will be sure to answer your question as soon as she is able.

[English]

AGRICULTURE AND AGRI-FOOD

FARM INCOME CRISIS AND DISASTER RELIEF

Hon. Lorna Milne: Honourable senators, my question was to be for the Leader of the Government in the Senate.

Hon. Terry Stratton: Point of order.

Hon. Sharon Carstairs: No points of order during Question Period.

Senator Milne: The fact that the leader is not present for Question Period shows a great disrespect to this chamber, even though it is budget day.

My question is about agriculture because the time for spring seeding is almost here and the tractors that we saw on Parliament Hill last week will be out on the land, but only if their owners can afford to buy seed. Not only is buying seed a problem this year, but also the fertilizer companies have cut off credit to farmers. Farmers are now subsidizing farm prices that are below cost by taking off-farm jobs. I noted that the deputy leader has provided information on this matter in a delayed response to a question posed by the Honourable Senator Fairbairn, and I thank him for that. However, the program and funding measures mentioned in his response were implemented or planned by the previous government. Farmers are asking for emergency funding so they can at least have the chance to grow crops this year. Without that chance they will not have a basis for their next crop and their ability to continue farming will be seriously in doubt.

What is the so-called "commitment to do everything possible to speed up assistance to farmers" that the Leader of the Government in the Senate alluded to on April 6? I ask again: Could the minister indicate whether a special effort is being considered to bring that assistance to the farmers in this time of need following the four worst years on record for farm income?

Senator Comeau: The honourable senator asked a question of the minister. There is no minister here.

Senator Milne: Honourable senators, implementing the status quo and citing figures provided by programs implemented by the previous government is no way to respond to a building crisis. Make no mistake; this is a crisis in rural Canada. Responding to a crisis takes responsible government, responsible leadership and swift action to aid those in need.

This government has had more than one decade to formulate alternative policies and programs while in opposition that they could now implement in response to this crisis faced by Canadian farmers. Instead, they play "gotcha" politics with the previous government and now are unable to provide the responsible leadership necessary to assist Canadian farmers. My question is simple. I would like the Leader of the Government in the Senate to prove me wrong. Given her commitment to quickly assisting farmers in Canada, I want the Leader of the Government in the Senate to return to her Cabinet colleagues and implore them to provide the leadership necessary to address this crisis.

• (1455)

I hope she commits to having cabinet re-address this issue. Has the government chosen to turn its back on Canadian farmers at this most crucial time of the year?

PARLIAMENT

FLYING OF PEACE TOWER FLAG AT HALF MAST IN HONOUR OF SOLDIERS WHO DIE IN WAR

Hon. Jane Cordy: Honourable senators, today gives new meaning to the saying that it is Question Period and not Answer Period. That situation is most unfortunate. I will, nonetheless, pose my questions on what I think is a very important issue.

My question is for the Leader of the Government in the Senate, by way of notice. The Peace Tower belongs to the Canadian people. It is where we fly our nation's flag. It is where we can show our respect for Canadians who deserve it. I believe that those who serve and those who have served in our military are very special individuals who deserve our support and our respect, but no one deserves our respect more than those who have given their lives for our country.

Would the Leader of the Government in the Senate tell this chamber why the government is not listening to Canadians? Why will this Conservative government not change its position and allow the flag to be flown at half-mast on the Peace Tower to honour those who have made the ultimate sacrifice?

When I see the Canadian flag flying at half-mast, I think not only of the soldier who has been killed but of all those who serve in the Canadian Forces. It reminds me once again of the job they continue to do for Canada around the world.

Why does the government believe that lowering the flag for individual soldiers who die would in any way diminish the respect that we show on Remembrance Day? As a nation, why can we not do both, as the Canadian people have indicated we should?

NATIONAL DEFENCE

RESIGNING OF NORTH AMERICAN AEROSPACE DEFENCE AGREEMENT

Hon. Joseph A. Day: Honourable senators, my question is directed to the Leader of the Government in the Senate through the Deputy Leader of the Government in the Senate.

Last Friday, we heard from the U.S. Ambassador to Canada that the NORAD agreement has been re-signed with the Minister of National Defence in Canada. On Saturday, the Prime Minister, in Moncton, New Brunswick, at a fund-raising dinner for the Progressive Conservative Party, advised that the agreement had not been signed.

A news release was received in my office from the Office of the Prime Minister on May 1. I quote from the second paragraph as follows:

"The Speech from the Throne committed this government to submitting significant international treaties for a vote in Parliament," said the Prime Minister.

The news release goes on to state:

Prime Minister Stephen Harper today announced that there will be a debate and vote in the House of Commons in support of the renewal of the North American Aerospace Defence (NORAD) Agreement.

Has the Prime Minister overlooked the other house of Parliament? He indicated that there would be a vote and a debate in Parliament, but his most recent statement is that there will be a debate and a vote only in the House of Commons.

[Translation]

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, the question will be passed on to the minister.

[English]

Senator Day: Perhaps the Prime Minister could be made aware of the extensive work that the Standing Senate Committee on National Security and Defence has done with respect to NORAD and the recommendations that it has made in relation to North American defence.

NATURAL RESOURCES

RESEARCH AND DEVELOPMENT IN FORESTRY INDUSTRY

Hon. Pierrette Ringuette: Honourable senators, this Question Period certainly flies in the face of what some people try to perpetuate publicly, that is, that this government is accountable and open.

[Translation]

My question is for the Leader of the Government in the Senate. You signed an agreement that is detrimental to Canada's forestry industry and to all Canadians. It is an insult to the concept of free trade and it circumvents NAFTA rules.

What do you intend to do to support the industry and find other markets for Canadian products?

• (1500)

You gave more than a billion dollars to the America industry for research and development, and you agreed to the "permanent" loss of thousands of jobs in the rural areas of this country. What will you do to boost research and development for the Canadian forestry industry? What will you do to replace those jobs, which are mainly in our small, rural communities?

[English]

INFORMATION COMMISSIONER

PROPOSED FEDERAL ACCOUNTABILITY ACT

Hon. Jim Munson: Honourable senators, my question is for the Leader of the Government in the Senate. Empty chairs leave me with an empty feeling.

Honourable senators, yesterday the Information Commissioner of Canada's response to the government's action plan for reform of the Access to Information Act was tabled in the other place. According to the Information Commissioner, no previous government has put forward a more retrograde and dangerous set of proposals to change the Access to Information Act.

The commissioner went on to say that the Conservative government's access to information plan will not strengthen accountability but, in fact, will weaken it. My question is to the Leader of the Government in the Senate: What steps does the government plan to take to ensure that the proposed federal accountability act will not reduce the amount of information available to the public and increase the government's ability to cover up wrongdoing?

As a supplementary, honourable senators, the Information Commissioner has outlined the importance of the Access to Information Act to battle what he sees as a culture of secrecy in the federal bureaucracy. He feels that this important aspect of transparency will be weakened by the Conservative's proposed federal accountability act.

Access to information allows Canadians to oversee what parliamentarians are doing. To weaken this legislation while talking about increased government accountability seems odd. The government's proposals reduce the amount of information

available to the public, weaken the oversight role of the Information Commissioner and increase the government's ability to cover up wrongdoing, shield itself from embarrassment and control the flow of information to Canadians.

Even the President of the Treasury Board has gone on the record to state that he would be willing to improve the access to information portion of Bill C-2, acknowledging that there is a serious flaw in the legislation. Could the Leader of the Government in the Senate explain to us what steps the government would take to improve the most important aspect of government accountability?

These answers are riveting; I have not felt this empty for a long, long time.

Honourable senators, since the pamphlet from the throne was read in this chamber, we have seen the government backtracking on a number of issues. First, the Conservative government scrapped the Canadian Unity Council, inadvertently and temporarily killing worthy programs, such as Encounters with Canada and the Summer Work/Student Exchange program.

The government has tabled a flawed piece of legislation that is central to the government's proposed agenda and acknowledged publicly that they have made a mistake on accountability reform.

Honourable colleagues, Canadians should be thankful that we have a chamber of sober second thought to make up for those legislative missteps. Can the Leader of the Government in the Senate tell us if there are any elements of the proposed federal accountability act that they are planning to address before we are faced with the bill in the Senate?

Senator Mercer: Jim, the lights are on but nobody's home!

• (1505)

CORRECTIONAL SERVICE

NEW PRISONS

Hon. Sharon Carstairs: Honourable senators, my question is to the Minister of Public Works. Have he and his government completely lost confidence in Statistics Canada?

Had the honourable minister been here today, I am sure he would have said that of course he has confidence in Stats Canada, despite the fact that the Prime Minister refuses to admit that Stats Canada keeps reporting that the crime rate is declining in this country and has been declining for over a decade. Therefore, my supplementary question is: How many prisons are on the drawing board or have started construction in order to accommodate all the new prisoners the Prime Minister wants to house?

Honourable senators, all of Manitoba's federal institutions are either filled to capacity or are well over capacity. My final supplementary is how many prisons are presently being built just to meet present needs?

JUSTICE

ACCESS TO INFORMATION— RIGHT OF PUBLIC TO BE INFORMED

Hon. Tommy Banks: It is sort of like the sound of one hand clapping.

My question is to Lamont Cranston.

Some Hon. Senators: Oh, oh!

Senator Banks: Honourable senators, my question is to the Leader of the Government, through the Deputy Leader of the Government.

Last October a young man in British Columbia was killed while he was in police custody. He had been arrested for having an open can of beer at a hockey game.

RCMP Constable John Ward is involved in the inquiry into that death. I wish to quote from a report in *The Globe and Mail*, which if true, is the basis of my question. In reference to Constable Ward, the article states:

...he refuses to discuss the RCMP's policies and procedures for handling prisoners, such as whether an officer should be armed when alone in an interview room with a suspect, or whether a video camera should be turned on before an interrogation begins.

Asked whether the public has a right to know about such policies, Constable Ward replied, "The public doesn't have a right to know anything."

Is that quote true? Is it attributable? If it is true, does the Government of Canada agree with it? I do not want an answer that talks about the means of redress to questions to the RCMP Public Complaints Commission, because we know that. My question is: Does the government agree with that position?

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

INDIAN RESIDENTIAL SCHOOLS RESOLUTION

Hon. Nick G. Sibbeston: Honourable senators, this is a good opportunity to practise asking questions. My question relates to the residential school issue.

In his final report on the Indian residential school settlement, Justice Iacobucci recommended to the government that advance payments be made to elderly claimants. Last week, in announcing that a final agreement had been reached, Minister Prentice

said: "The government will immediately consider the settlement agreement, and the interim payments and the timing of those payments."

Can the government leader confer with her colleague Mr. Prentice and determine when the government intends to make advance payments to the 8,000 or so eligible former residential school students?

There are reports that four of these elderly persons die each day. Obviously time is of the essence. It is important that the government act quickly so there can be some measure of satisfaction, comfort and peace for the elderly people who during their earlier lives endured and suffered so much in residential schools.

I have a supplementary question. Although the proposed settlement is welcome and is generally very good for Aboriginal people, I know that there will be real problems implementing the payments when they come about.

I have already received several letters from former students who attended schools in the North during late 1940s and 1950s but have been told that there is no record of their attendance. I am sure these poor records will affect hundreds if not thousands of students who will eventually apply for these payments.

What kind of process does the government plan to put in place to ensure that people's legitimate claims are recognized? Will there be a simple process they can follow so that they will not be frustrated, insulted or revictimized simply because schools and government of the time failed to keep proper records?

• (1510)

THE SENATE

ABSENCE OF MINISTERS

Hon. Jack Austin: Honourable senators, Senator Segal must be feeling that his desire to see a televised Question Period is floating off into the air. I think it would be good for the opposition today, but certainly not for the government.

Honourable senators, one of the most important parts of the British parliamentary system was the hard-won Question Period. The government is shown either to be willing to account for its responsibilities as government or not to account for them. Today, we are finding the government is not willing to account for itself, not even through the time honoured practice of the deputy leader to take notice on behalf of the Leader of the Government. I am curious to know whether the Leader of the Government told the Deputy Leader of the Government to sit silent or whether he is really following the mistaken advice of Senator Stratton, and it is a mistaken advice, honourable senators.

The only conclusion I can come to, I will put in the form of a question: Is this the first stage in the work of the present Conservative government to attempt to provoke the Liberal opposition in the Senate so as to show a Senate that needs reformation?

[Translation]

THE SENATE

NOTICE OF MOTION URGING SUPPORT FOR STABILIZATION AND RECONSTRUCTION OF AFGHANISTAN

Leave having been given to revert to Notices of Motions:

Hon. Roméo Antonius Dallaire: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate expresses its support of Canada's diplomatic, defence and development contributions for the stabilization and reconstruction of Afghanistan; and

That the Senate commends Canadian Forces personnel, diplomats and humanitarian assistance officials for their contribution in re-building a stable and prosperous Afghanistan.

CANADA'S COMMITMENT TO DARFUR, SUDAN

NOTICE OF INQUIRY

Leave having been given to revert to Notices of Inquiries:

Hon. Roméo Antonius Dallaire: Honourable senators, pursuant to rule 57(2), I give notice that two days hence:

I shall call the attention of the Senate to the situation in the Darfur region of Sudan and the importance of Canada's commitment to the people of that country, which has been ravaged by war.

• (1515)

This is the first formal occasion I have had to welcome those of you who have joined the Senate since I was appointed about a year ago. It will forever give me pleasure to know that I am more senior than Senator Segal in this chamber.

I address the Speech from the Throne. I wish to talk about two things: first, the role of the Senate and, second, the versions of Canada that are being put before us in this particular session.

We are all destined to live in interesting times. As a result, it is worth reviewing and revisiting what our role is.

It has been said that politics is the competition for power. There is no question that the other place and the government as well is, generally speaking, taken up with that competition. However, the Senate was designed for another purpose; that is, the competition for ideas. Our role is to calmly think through the agenda that the government puts before Parliament and to report back, based on our wisdom, if any, and certainly our experience, which is considerable, and give Canadians the benefit of our thinking.

As Sir John A. Macdonald said, the Senate is an independent — or should be an independent — house,

...having a free action of its own, for it is only valuable as being a regulating body, calmly considering the legislation initiated by the popular branch...

That is a version of deliberative democracy. We are a body of deliberative democracy and therefore we are called upon to review the government's agenda and to vouchsafe our opinions thereon.

With respect to deliberative democracy, Dr. John Parkinson, a professor at the University of York, would say that elections give parties the right to set the legislative agenda and command the loyalty of the public service, but it does not give them carte blanche. To appreciate the force of this, consider cases of electoral success but democratic failure. He gives as an example Adolf Hitler, who won an election based on a clear policy program, but, of course, that did not legitimize all of the actions he subsequently put forward. That view is one that is of particular relevance today insofar as the election on January 23, 2006 did not give any one platform a majority. Indeed, there is no monopoly of ideas out there.

There are limits, of course, to our deliberative democracy. Sir John A. Macdonald said that the Senate must never "set itself in opposition against the deliberate and understood wishes of the people."

In 2006, we do not have a single expression of the will of the people; we have many expressions of the will of the people: roughly a third for the Liberals, a third for the Conservatives and a third for everyone else. That seems to advance the role of the Senate even further and to make it more important now than it has been in many previous sessions.

[English]

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-Ninth Parliament.—(5th day of resuming debate)

Hon. Elaine McCoy: Honourable senators, first, I wish to offer my congratulations to Senator Kinsella on taking the chair of this chamber and to wish him a long and happy tenure in that position. I also wish to offer my congratulations to the new officers of the Liberal and Conservative caucuses, including the leaders, deputy leaders and whips.

Honourable senators in this chamber are a microcosm of Canada, from all parts of this wonderful country. It will, therefore, be important to exercise our responsibility to have a true, deliberative democracy in this chamber and to examine the agenda and the items that come before us.

Our responsibility will be important because, in reading the Speech from the Throne, I think there are two versions of Canada that are being put forward. I was planning to say "visions," but in rereading the Throne Speech I thought I should more properly characterize it as a version of Canada.

• (1520)

The versions of Canada that I see could be summed up in one simple theme: Will we have a retrogressive Canada, or will we have a progressive Canada? Here are examples of the issues that I see honourable senators debating over the coming weeks and months: Will we as Canadians spend more on war and less on global warming? Is that the kind of future we want? Will we follow the recommendations of a retired colonel and former lobbyist on military acquisitions, or will we take the recommendations of a chief of staff who commands the loyalty of all his troops? Will we regress 60 years to a policy of a baby bonus, which was, without question, valid in 1944, or will we move forward into the twenty-first century and devise what we need in this country to be globally competitive, namely, the underpinnings and social infrastructure that support an early childhood learning system?

Some Hon. Senators: Hear, hear!

Senator McCoy: Honourable senators, I could go on, but the only other example I will mention in this context is tax policy. Again, there are regressive and progressive choices. It seems to me that all economists should know that the GST is the one choice that is in line with all the rich developed nations in the Western world. It is the one that is supported by organizations such as the Organisation for Economic Co-operation and Development, OECD. Is Canada going to regress, or will we go forward and put in a tax regime that supports and encourages investment, savings and innovation?

Those are the major questions, and we as senators are in a position of responsibility as well as privilege as we debate these important points.

I look forward to exchanging ideas in this chamber and to the competition that is amongst us, but I also look forward to what I have already enjoyed, and that is a collegiality, so that we are competing with ideas but not people.

As I say, I look forward to the debates of the coming weeks and months.

Hon. Anne C. Cools: Will the honourable senator take a question?

Senator McCoy: I will.

Senator Cools: In her remarks, the honourable senator talked about a progressive Canada and a regressive Canada. Can the honourable senator tell us what is a progressive Canadian and what is a regressive Canadian?

Senator McCoy: Honourable senators, I would like to reframe the honourable senator's question to talk about a progressive Canada. A progressive Canada would adopt policies that put us in a position to prosper in the coming decades. In 2006, many things have changed in the nature of the world both socially and economically that we cannot ignore, unless, of course, we wish to doom Canadians to a less-than-prosperous future.

Senator Cools: I think I understand. The honourable senator was not speaking about a progressive or regressive Canada or Canadians. She was speaking about progressive or regressive policies. There is a difference. One addresses a country and a people. The other addresses the issue of public-policy making.

Having ascertained that people are out of the way and that we are talking about policy, could the honourable senator tell me what is a progressive policy and what is a regressive policy in respect of early childhood experience?

Senator McCoy: I will be glad to expand on that question in more detail when it comes before us. This argument was put in front of me by a business person who supported early childhood learning based on research funded by major corporations in Canada and elsewhere. It is as follows: In a global, knowledge-based economy, if we are to be competitive and innovative, then we must ensure that our people have the intellectual agility to address and deal with issues as they come at us in the coming years. That agility will require particular attention to training at an early childhood stage. It has nothing to do with whether children are accessories. It has nothing to do with parents who wish to stay at home. It has to do with ensuring that there is a social infrastructure that addresses early childhood learning. As one economist, a Nobel Prize laureate, has calculated, if you spend one dollar in primary and secondary education, you will get something like a three-dollar return. Forgive me; I do not have the number exactly right but I will get it later. If you spend one dollar pre-school, that is, before they go into grade one, you can expect an eight-dollar return on investment. That is the kind of progressive policy I believe that we in Canada should foster.

Hon. George Baker: In the first section of her remarks, the honourable senator referenced the role of the Senate and the role of senators with the upcoming legislative program of the government. Then she made reference to the legislative program of the government. Can the honourable senator comment on how she sees the role of the Senate and how much deference should be shown to the decisions taken by the other place as far as supporting the legislation or amending legislation? What is her vision of a standard of review for the Senate of Canada in the present circumstance?

Senator McCoy: Given the circumstances, we need to be a little cautious, and perhaps a little chary of the competition for power that is likely to play itself out in the other place. That is a normal, time-honoured and respectable endeavour, however, in a competition of ideas, we should be very much on our toes in this session and continue to remind the other place that there is not a clear expression of the will of the people. Had that been

expressed as a clear mandate, with a majority being given to the other place, then one could anticipate that party politics and partisan voting would give some indication of a reflection of the will of the people, and then one would take note of that in the Senate.

As it is, there is much more room for the competition of ideas and for us not to play partisan politics but to review and, through our collective experience and reflection of all parts of Canada, convey what we feel is positive and progressive for our future.

Hon. Hugh Segal: Might I ask a question of my Progressive Conservative colleague to amplify the point made by my colleague the Senator from Newfoundland and Labrador? As Senator McCoy was kind enough to reference, there is a lack of an operating majority in the other place. As a result, any legislation that emerges from that place to this place will have at least the benefit of the support of two political parties, perhaps even three. In her judgment, would that constitute a constraint on the standard of review as referenced by the senator from Newfoundland as it relates to us?

Senator McCoy: That will be a circumstance from time to time. Those of you who caucus with the major parties in the other place will have an insight into the question we need to ask ourselves and will be able to advise on it and that is whether the legislation is motivated by the well-being and prosperity of our future country, or whether it is dictated more by the timing of the next election.

• (1530)

The Hon. the Speaker: I regret to inform the honourable senator that her time has elapsed.

[Translation]

Hon. Rose-Marie Losier-Cool: Honourable senators, I rise today to address the Speech from the Throne. I wish to speak to you about an issue that is very important to me and that was not raised in the throne speech, namely, francophone Canadians, international francophones and the place of Canada in the international francophone community.

I have a passion for defending and promoting French, francophone culture and the linguistic duality of Canada. As an Acadian, I am a member of a people who are proud of their francophone heritage and I come from the only officially bilingual province in Canada, New Brunswick.

The Canadian francophone community is comprised in large part of Quebec, but francophone Canadians are found well outside the borders of Quebec. In fact, they are found throughout Canada, from British Columbia to Newfoundland, the far North to the Niagara Peninsula.

Each provincial francophone community has its own structures, its own organization to champion its cause, and its own issues and each community makes a contribution to its respective province, one that is invaluable and irreplaceable. Without its francophones, Canada would not be such a fascinating country.

[English]

Canadian francophones enrich both the national and regional cultures that make our country such a welcoming haven for many around the world. Canadian Francophones are the single largest group of French speakers in North America and the single largest audible minority in our country.

Francophones make Canada much more interesting, honourable colleagues, just as Spanish speakers make our southern neighbour a much more interesting culture.

Canadian francophones are an essential component of Canadian culture, economy and society. This applies not only to francophones in Quebec, but also, and just as importantly, to francophones outside Quebec.

As a humorous aside, I wish to remind my honourable colleagues from Alberta that Fort McMurray — “Fort McMoney” as it is called at home — would not be prosperous today if it were not for the New Brunswick Acadians who work there. In other words, without us, Fort McMurray would be short-staffed.

[Translation]

Honourable senators, we all know many great francophones from minority communities who have left their mark or are still leaving their mark on Canada, people like chemist Raymond Urgel Lemieux from Alberta who discovered sucrose; Yseult Friolet from British Columbia who has been directing the francophone federation of that province for such a long time and who tends to the linguistic rights of the 65,000 francophones there; Professor Joseph-Henri Blanchard, a great defender of the Acadians, Angèle Arsenault, a singer-songwriter and Marc Mongeau, an illustrator, all three from Prince Edward Island; from Manitoba we have architect Étienne Gaboury, singer-songwriter Daniel Lavoie, politician Louis Riel, writer Gabrielle Roy and our late Speaker of the Senate Gildas Molgat.

From my home province of New Brunswick we have photographer Raymonde April, Supreme Court Justice Michel Bastarache, poet and current Lieutenant-Governor Herménégilde Chiasson, former Governor General Roméo LeBlanc, novelist Antonine Maillet, former provincial Premier Louis Robichaud, author Serge Patrice Thibodeau, singer Roch Voisine, and our former colleague, the great actress Viola Léger.

From Nova Scotia we have Father Léger Comeau, a great defender of the Acadians; from Ontario there is the playwright Jean-Marc Dalpé, businessman Paul Desmarais, mezzo-soprano Eva Gauthier, artist Claude St-Aubin and carillonneur and composer Émile Vendette.

From Saskatchewan we have former Governor General Jeanne Sauvé and singer Carmen Campagne, who gets our children, our grandchildren and grandmothers singing.

From Newfoundland and Labrador there is story teller and fiddler Léon Benoît and many others.

[Senator McCoy]

I did not include in my list most of the eminent francophones from outside Quebec who sat or are still sitting in the Senate. You know them, you know each other and you share my deep recognition for their current and past contributions. I hope the current government shares our respect and recognition for these francophones in minority communities.

The Fédération des communautés francophones et acadienne du Canada and the Fédération culturelle canadienne-française have expressed concern over the silence in the recent Speech from the Throne on culture and the official languages. The FCFA particularly regrets that diversity and linguistic duality were not mentioned as basic Canadian values, as they were specifically acknowledged in the Speech from the Throne of the Thirty-eighth Parliament.

Like my colleagues from these two federations, I would have liked the Speech from the Throne on April 4 to indicate specifically the current government's interest in francophones in minority communities.

[English]

I wish to read some snippets from the latest Throne Speech that are pertinent to my remarks. The government stated its wish to build a stronger Canada, a country it considers to be "...uniquely blessed in the strength and diversity of its people..." a country "...at the leading edge of science, business, the arts and sport."

The government also acknowledged that our country's federal regime is meant to "...accommodate our diversity and build upon the unique strengths of the different parts of our federation."

As well, we are told that the government seeks to strengthen Canada's place in the world by advancing "common values and interests."

Lastly, the government stated its commitment to support "Canada's core values of freedom, democracy, the rule of law and human rights around the world." All this would result in "a Canada that works for all of us."

[Translation]

Honourable senators, these excerpts allay my concerns somewhat. But after some consideration, it is clear that the government can respect the commitments and keep the promises I just quoted only if it gives Canada's Francophonie its rightful place in our federation and on the world stage. I hope that the government will honour the commitments and carry out the federal programs that promote linguistic duality and the rights of francophone minorities.

I am referring to the federal Action Plan for Official Languages, the Canada-community agreements, and subsidies for organizations such as the Canada Council for the Arts. In 2006, the international Francophonie celebrates the 100th birthday of Léopold Senghor, the great Senegalese head of state who was one of the three founding fathers of the Francophonie, in which our country is a key player. The international Francophonie brings together 175 million francophones from around the world. Seven million of them live in Canada — about six million in Quebec and slightly more than half a million outside of Quebec.

We have 5 of the 73 permanent members of the Assemblée parlementaire de la Francophonie: Canada, Manitoba, New Brunswick, Nova Scotia and Quebec. Furthermore, Alberta, British Columbia, Prince Edward Island and Saskatchewan are associate members.

We also have 3 of the 53 permanent members of the Organisation internationale de la Francophonie, headed by Mr. Diouf: Canada, New Brunswick and Quebec.

• (1540)

Our country also has 7 of the 63 advisory bodies: the Association francophone internationale des directeurs d'établissements scolaires, based in Montreal; the Association internationale francophone des aînés, based in Quebec City; the Association internationale de la presse universitaire in Quebec City; the Secrétariat international des infirmières in Montreal; the FCFA in Ottawa and the Société nationale de l'Acadie, based in Dieppe, New Brunswick.

Lastly, our country is home to one of two specialized institutes of the Organisation internationale de la francophonie, the Institut de l'énergie et de l'environnement de la francophonie, based in Quebec City.

Francophones living in minority communities make up a large part of Canada's francophone population.

Canada's 7 million francophones are much more than a linguistic minority in our country; Canada's involvement in the international francophone community is far from negligible.

On that note, honourable senators, I repeat my hope that the Government of Canada will not forget this and will act accordingly, because Canada has a place in the international francophone community, and it must keep that place.

Hon. Roméo A. Dallaire: Honourable senators, today I want to speak about an issue that was not addressed in the Speech from the Throne, the issue of vulnerable children. Of course, one speech cannot possibly cover all the topics that are dear to our hearts, but I am sure you will agree that children are the most important and most precious part of our lives as individuals, as a society and as a nation.

Children are the present and the future. In a democracy like ours, we can neither allow ourselves nor be content to give them short shrift or ignore them altogether. Regardless of the government in power, our priority should always be to make sure all children have a healthy childhood.

The Convention on the Rights of the Child, the most ratified and most comprehensive international human rights treaty, recognizes that the best interests of the child are a primary consideration in article 3 and sets out children's right to protection against all forms of abuse, exploitation or violence in articles 19, 32, 33, 34, 35 and 36.

In spite of the Convention and its provisions, millions of children around the world are not afforded the dignity that is their due. It is all the more shocking when children's human rights are seriously violated in a country that prides itself on its passionate defence of these rights. Children, that is persons under the age of ten according to the Convention, account in Canada for 24 per cent of the population, and the fastest growing population is that of young Native people.

Of these children, many — the exact number is not known, proof of the need for more information on the problem — are being exploited or will be exploited in the sex trade.

Commercial sexual exploitation of children is criminal. It is a form of violence against children and amounts to forced labour and to a modern form of slavery. In this business, children are treated like objects and are often the victims of blatant abuse. They are bought and sold like chattels without value.

Ethel Blondin-Andrew, the former Minister of State for Children and Young People, described the commercial sexual exploitation of children as an offence, a gross abuse of the rights of the child, and something we must not tolerate.

Why do our children end up in such a hostile and degrading industry? One abused young woman testified:

I grew up feeling I was worth nothing; I had no self worth because I was worthless. I did it for free for I don't know how many years. That was how I saw myself, as nothing.

Young people go into prostitution because they are victims of poverty and very often of abuse. While exact statistics are not available, we do know that this problem affects all of Canada's cultural communities. In Montreal, for example, the City of Montreal police squad dealing with the commercial sexual exploitation of children found in the cases they recorded that the victims came from a variety of backgrounds. They included Quebecers, Latin Americans, people from the Caribbean and Asians. In some communities in Canada, 90 per cent of the people working in this trade are Aboriginal.

This problem, whose effects last a lifetime, should not be minimized. We are not talking about isolated cases or a fringe activity. On the contrary, we are looking at a problem of considerable scope. If one child is involved the scope is considerable. While the factors and the reasons are manifold, the result remains the same: these children are victims and are among the most vulnerable of our society, our progressive society founded on a fundamental law of human rights.

It is our duty to protect them and to guarantee living conditions that promote their personal development, their serenity and opportunities for them in this country. Protecting the most vulnerable is not a choice; it is an obligation, a responsibility and a fundamental element of our social structure. It is essentially a question of rights.

As underscored by the United Nations Committee on the Rights of the Child:

Implementation of the human rights of children must not be seen as a charitable process, bestowing favours on children.

Children are not passive beneficiaries. They are fundamental elements in the continuity of humankind. Children and young people are human beings in their own right. They are citizens like you and me, and have rights as prescribed by the international community, specifically through these conventions.

Under the heading *Canada—Strong, United, Independent and Free*, the current government highlighted its intention to develop a new approach that focuses on human rights. Closer cooperation with all human resources partners, generous funding, and a clearer perception of children and young people could, together, contribute to creating a Canada worthy of its children. Canada would no longer tolerate the abuse of any of its children, no matter what their social class.

Under Article 4 of the Convention on the Rights of the Child, "States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention".

Canada is a signatory to this convention and must respect its commitment by taking all the appropriate measures to translate intentions into concrete reality in our society.

To succeed, implementing the rights should be done with the participation of children. Furthermore, Article 12 of the Convention calls for, indeed requires, this in all decisions affecting children. It is absolutely incredible to realize that children who speak and work in their own community might have more progressive solutions than those adults from another generation. The participation of young people is a key factor for the federal committee against commercial sexual exploitation of children. The situation will be studied at the next committee meeting on May 15.

• (1550)

This committee, which Senator Pearson has entrusted to me, was set up after the first world congress in Stockholm in 1996 to contribute to the development of a national strategy in order to combat the commercial sexual exploitation of children.

As chair of this committee, and with the cooperation and dedication of its members who represent various governments and non-governmental organizations, I will do everything I can to carry out this mission that has been assigned to me by my dear colleague, Senator Pearson. It is my wish that the current government do its part to protect the most vulnerable children in Canada. For a country that is a leader in human rights — and proud of it — a Canada worthy of children should be a non-negotiable priority for a responsible government.

[English]

Hon. George Baker: Would Senator Dallaire take a question?

Senator Dallaire: Yes.

Senator Baker: The honourable senator outlined the law as it relates to the UN Convention on the Rights of the Child, and he gave an excellent account of its effectiveness in Canada. Canada has ratified the convention but has not incorporated it into domestic law. As the honourable senator knows, only one nation has done that — Norway. It has done so by placing one sentence in what is comparable to the Canadian Charter of Rights and Freedoms. The sentence states that the UN Convention on the Rights of the Child shall apply.

Has the honourable senator, as a member of the Standing Senate Committee on Human Rights currently studying this matter, given any thought as to how Canada should incorporate the convention into domestic law? In federal legislation, it is mentioned in the preamble to the Youth Criminal Justice Act, and in provincial legislation, it is recognized in the appendix to the law that governs access to children — the Children's Act in most provinces. Has the honourable senator given any thought as to whether the government should incorporate it into domestic law in each individual law or, perhaps, that Canada, having ratified it and not incorporated it into domestic law, should incorporate it into the Charter of Rights and Freedoms?

Senator Dallaire: I thank the honourable senator for his question that is at the heart of a portion of the personal debate I am having. The Standing Senate Committee on Human Rights has been working extensively in this area as well as examining, to my knowledge, the application of international law and rights into the Canadian legal system and whether the signed and ratified conventions are being applied in the most appropriate, useful and progressive fashion in order to protect and permit the respect of human rights throughout the country.

It is my contention that many of the applications and translations of these conventions into Canadian law have been hit and miss. Whether they should be part of a bill or appear as an amendment to the Charter, I have no legal background to be able to argue one way or another. However, it seems unusual that our foreign policy of going to other countries to defend human rights, good governance and the rule of law, right through to a variety of our local requirements and interpretation, including the provincial level, seems almost ad hoc. The process is hit and miss, no matter which department and which sponsors are responsible for the area of rights as applied in Canada. The Human Rights Committee has looked at the possibility of establishing a commissioner who could bring solutions or some kind of logic to how we apply or whether we apply or whether we are in contravention of some of these fundamental international conventions.

When I look to the other side of the chamber, I wonder whether it might be high time to put a political face to the application of rights. That would be far more responsible than putting a bureaucrat or a commission structure in place and leaving it to the government to fiddle with the details across all departments. If our belief in human rights is an essence of our nation and if the aging Charter is a fundamental law of the nation, then it is

incredible that we do not take the political lead in ensuring that we apply it, keep it current and meet those conventions that take us beyond our borders to sell to and to assist other nations.

In the legal arena I cannot come close to knowing precisely which buttons to push regarding these various structures. However, I do know one thing for sure: We cannot hold one person truly accountable for whether this nation is meeting the International Conventions on Human Rights. That absence is making us vulnerable when we attempt to go beyond our borders and sell our products to others.

On motion of Senator Comeau, debate adjourned.

[Translation]

THE SENATE

MOTION TO STRIKE SPECIAL COMMITTEE ON ANTI-TERRORISM ACT ADOPTED

The Hon. Gerald J. Comeau (Deputy Leader of the Government),
pursuant to notice of April 25, 2006, moved:

That a Special Committee of the Senate be appointed to undertake a comprehensive review of the provisions and operation of the Anti-terrorism Act, (S.C. 2001, c.41) pursuant to Section 145 of the said Act;

That, notwithstanding rule 85(1)(b), the special committee comprise nine members namely the Honourable Senators Kinsella, Andreychuk, Nolin, Day, Fairbairn, P.C., Fraser, Jaffer, Smith, P.C., and Joyal, P.C., and that four members constitute a quorum;

That the committee have power to send for persons, papers and records, to examine witnesses, to report from time to time and to print such papers and evidence from day to day as may be ordered by the committee;

That, notwithstanding rule 92(1), the committee be empowered to hold occasional meetings in camera for the purpose of hearing witnesses and gathering specialized or sensitive information;

That the committee be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings;

That the committee submit its final report no later than June 23, 2006, and that the committee retain all powers necessary to publicize its findings until September 29, 2006; and

That the committee be permitted, notwithstanding usual practices, to deposit its report with the Clerk of the Senate, if the Senate is not then sitting, and that any report so deposited be deemed to have been tabled in the Chamber.

MOTION IN AMENDMENT

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 30 of the *Rules of the Senate*, I seek leave of the Senate to modify Motion No. 2 standing on the *Order Paper* in my name, by adding the following:

after the words "its hearings" in the fifth paragraph:

That the papers and evidence received and taken on the subject by the Special Senate Committee on the Anti-terrorism Act during the First Session of the Thirty-eighth Parliament be referred to the Committee;

That in the sixth paragraph, the words "June 23" be replaced by "October 5" and that "September 29" be replaced by "December 15".

[English]

Hon. the Speaker: I draw the attention of honourable senators to rule 30 of the *Rules of the Senate*, which states:

A senator who has made a motion or presented an inquiry may withdraw or modify the same by leave of the Senate.

Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt Senator Comeau's motion, as modified?

Motion agreed to, as modified.

• (1600)

CRIMINAL CODE

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Lapointe, seconded by the Honourable Senator Chaput, for the second reading of Bill S-211, to amend the Criminal Code (lottery schemes).—(Honourable Senator Comeau).

The Hon. the Speaker: Honourable senators, Senator Massicotte has made a declaration of private interest regarding Bill S-211, to amend the Criminal Code, lottery schemes, which is currently before the Senate. In accordance with rule 32.1, the declaration shall be recorded in the *Journals of the Senate*.

On motion of Senator Comeau, debate adjourned.

INCOME TAX ACT

BILL TO AMEND—SECOND READING—
POINT OF ORDER—SPEAKER'S RULING RESERVED

On the Order:

Second reading of Bill S-212, An Act to amend the Income Tax Act (tax relief).—(Honourable Senator Austin).

Hon. Jack Austin: Honourable senators —

POINT OF ORDER

Hon. Consiglio Di Nino: Honourable senators, I rise on a point of order.

Honourable senators, it is my view that Bill S-212, to amend the Income Tax Act (tax relief), is not properly before the Senate. Bill S-212 was introduced by Senator Austin last Wednesday. The provisions of this bill purport to reduce the lowest federal income tax rate from 16 to 15 per cent effective January 1, 2005; to increase the basic personal allowance by \$500 effective January 1, 2005, and to make consequential amendments to other personal amounts; to decrease the maximum refundable medical expense supplement for 2006 and subsequent taxation years; and to increase the child disability benefit supplement to the Canada Child Tax Benefit for 2006 and subsequent taxation years.

On the surface, this bill seeks to lower rates of taxation in a number of areas. It is largely drawn from Bill C-80 of the last Parliament, a money bill introduced in the other place by a minister of the Crown following the adoption of a ways and means motion. The fundamental point at issue is whether or not it is possible for a senator to introduce a bill that will alter the incidence of taxation, which will result in direct new expenditures by the Crown.

The issue is not the Senate's ability to amend bills originating in the other place. The issue is the restriction found in section 53 of the Constitution Act, 1867. Bills that appropriate any part of the public revenue, or for imposing any tax or impost, must originate in the other place.

Bill S-212, on the surface, would reduce rates of taxation, but because of the complexity and the interconnection of the taxation system, those reductions will result in increased taxation for certain individuals and, further, will require new payments to be made from the Consolidated Revenue Fund. Neither the imposition of increased taxation nor the creation of new direct charges on the Consolidated Revenue Fund fall within the ambit of bills originating in the Senate.

Although it can be argued that a Royal Recommendation is not required for an amendment, the effect of which would be to reduce taxes otherwise payable, it is my view that the bill could increase the tax burden of a very small number of taxpayers and will require the expenditure of funds. Bill S-212 should have been preceded by a notice of ways and means motion, should have been accompanied by a Royal Recommendation, and should have originated in the other place for three reasons.

First, Bill S-212 provides for an increase to the child disability benefit supplement of the Canada Child Tax Benefit. This is done through an amendment to subsection 122.61 of the Income Tax

Act. These payments are expenditures, not a reduction of the tax otherwise payable. This is why the public accounts of Canada records Canada Child Tax Benefit payments as expenses. Therefore, any legislative proposal to increase a child disability supplement constitutes a further appropriation out of the Consolidated Revenue Fund.

This position is also shared by the Auditor General. In her observation on the financial statements of the Government of Canada for the fiscal year 2002-03, the Auditor General stated:

Certain amounts were presented in the public accounts of Canada on both a gross and net basis. The items include the Canada Child Tax Benefit, certain Crown corporation revenues and expenses, and a GST credit, which in my view are properly classified as program expenses rather than a deduction from revenues.

Given that the Auditor General, a parliamentary officer, and the public accounts of Canada recognize these payments as expenditures, the increase to these payments proposed in Bill S-212 is an appropriation which requires a Royal Recommendation. I would therefore argue that this bill requires the expenditure of funds and is inconsistent with Senate rule 81, which states:

The Senate shall not proceed upon a bill appropriating public money that has not within the knowledge of the Senate been recommended by the Queen's representative.

The second point is that clause 3 of Bill S-212 purports to increase the maximum refundable medical expense supplement for 2006 and subsequent taxation years. This is done through amendments to subsection 122.51(2) of the Income Tax Act. Under the Income Tax Act there are two types of credits: Non-refundable and refundable tax credits. Non-refundable tax credits are not paid to a taxpayer if that taxpayer has less tax payable than the amount of the credit. Non-refundable tax credits simply reduce tax otherwise payable. For example, if an individual's tax payable is \$500 and the amount of the non-refundable tax credit to that individual is \$600, the individual will not be paid the amount of \$100; the individual's final tax liability will be reduced to zero. However, refundable tax credits are paid out of the Consolidated Revenue Fund if the individual has less tax payable than the amount of the credit.

• (1610)

As a further example, if the individual's tax payable is \$500 and the amount of the refundable tax credit that the individual can claim is \$600, the individual will be entitled to the amount of \$100.

In those situations, there is an appropriation out of the Consolidated Revenue Fund. It is not a simple reduction of the tax otherwise payable. It goes further than reducing the tax otherwise payable to zero. Therefore, any legislative proposal to increase a refundable tax credit, such as the proposed measures in Bill S-212, requires a Royal Recommendation and a bill containing such a proposal must originate in the other place.

The reduction of the lowest federal income tax rate from 16 per cent to 15 per cent, which is done through an amendment to paragraph 117 (2)(a) of the Income Tax Act, also has an

impact on the tax credits found in sections 118 to 118 (7) of the Income Tax Act. These credits are determined by multiplying an amount by a particular percentage which corresponds to the lowest tax rate. Thus, if the percentage is lowered, the credits are also lowered. When a tax credit is lowered, a notice of ways and means motion is required. It is therefore possible that the tax burden of a very small number of taxpayers could be increased.

It is my submission that this bill should have originated in the other place and been preceded by a notice of ways and means motion also tabled in the other place.

Honourable senators, we are all aware, particularly at this time of the year, of the complexity of the tax system. While we share Senator Austin's desire to lower tax, I believe that the practices of Parliament and the Constitution restrict the ability of this chamber in the initiation of direct charges on the Consolidated Revenue Fund. It is strange, that because of linkages within taxation legislation there are circumstances when a lower rate of taxation would result in increased taxation for some individuals.

As the Speaker's predecessor ruled on June 14, 2005, respecting Bill S-33, where there is a plausible cause that a bill may involve a new appropriation, second reading debate should not proceed.

I respectfully invite Your Honour to consider these issues.

Hon. Bill Rompkey: Senator Di Nino has referred to many acts and many sections of acts. I argue that there is no point of order and that the arguments that he has put forward are specious. This is not a bill to appropriate public revenue; this is a bill to reduce taxes. It is within our purview to do so both here and in the House of Commons. We cannot increase estimates, but we can reduce them. We can reduce a minister's salary, even to one dollar. In the case of some ministers, perhaps we should do that, especially if they do not show up for work. Maybe they are only worth one dollar.

Your honour, you have been around long enough and are knowledgeable enough to know the difference between what we can do and cannot do. We have the perfect right to reduce taxes, but we do not have the right to increase them. This bill seeks to decrease taxes and I argue that it is perfectly in order.

Hon. George Baker: Honourable senators, I submit that tax expenditures, as the senator illustrated in some detail, are not expenditures within the meaning of the objection by the honourable senator across the way. If his argument were to prevail, the Senate would not be permitted to introduce international tax treaties in this place. They would all have to be introduced in the House of Commons, which, as the Speaker knows, is not the custom.

Hon. Jack Austin: Honourable senators, I listened with great care to Senator Di Nino. I, of course, anticipated that some of these arguments might be used in an effort to forestall debate on the substance of Bill S-212. There were many words setting up false circumstances and seeking to knock down the appropriateness of the introduction of this bill.

As my colleagues Senator Rompkey and Senator Baker have said, there is no ground for objection to the introduction of this bill in this chamber. In fact, there are many precedents and many rulings by our Speakers with respect to it.

Reference was made to section 53 of the Constitution Act. Section 53 reads:

Bills for appropriating any Part of the Public Revenue, or for imposing any Tax or Impost, shall originate in the House of Commons.

There is also a Senate rule on this issue, namely, rule 81, which provides:

The Senate shall not proceed upon a bill appropriating public money that has not within the knowledge of the Senate been recommended by the Queen's representative.

Honourable senators, this proposed legislation does not appropriate any money from the Consolidated Revenue Fund and it certainly does not impose any tax or impost. To the contrary, it lowers taxes, something which my colleagues opposite have sought to do on several occasions with private members' bills, and they have not been impeded by any jurisdictional issue.

For example, during the Second Session of the Thirty-fifth Parliament, Senator Di Nino introduced Bill S-11, an act to amend the Excise Tax Act in the Senate. The purpose of this bill was to stop the GST from applying to reading material. This bill passed second reading and was referred to committee. It was reinstated in the next Parliament as Bill S-10, when it got as far as third reading debate. There were concerns expressed with respect to various aspects of that bill but, according to all the research I have done, no issue was raised with respect to the propriety of introducing such a bill in the Senate, and I am certain that Senator Di Nino would not have introduced such a bill if there were any bar to so doing.

Senator Tkachuk will recall that an issue was raised in 1997 about his Bill S-12, an act providing for self-government by the First Nations of Canada, specifically whether it required a Royal Recommendation.

In that case, the Speaker said that he had:

...been unable to find any provision that clearly appropriates money from the Consolidated Revenue Fund.... Nor is there any language in the bill that effectively imposes any perceived appropriation. Yet these are the conditions to be satisfied when considering whether a royal recommendation should be attached to the bill.

The Speaker continued:

Also, with respect to the concern about forgone tax revenue, I can find no basis for ruling the bill out of order. Bill S-12 would extend to Indian corporations the tax exemption currently available to Indian individuals under the *Indian Act*. The objection raised is that this extension would eliminate potential tax revenue and therefore amount to an appropriation of public revenue. However, there is no

requirement for a royal recommendation in cases where a bill proposes to reduce a charge or extend an exemption for a tax.

That applies absolutely to the straw issues which Senator Di Nino raised here.

Honourable senators, I reiterate that this bill does not appropriate any funds, but it does lower tax brackets. However, this precedent, as I have mentioned, has been introduced.

• (1620)

During the last session of Parliament, Senator Di Nino sponsored Bill C-259, an act to amend the Excise Tax Act (elimination of the excise tax on jewellery). This bill was introduced in the House of Commons and the Conservative Party of Canada backed it both there and in the Senate. This bill did not require a Royal Recommendation, and no question was raised regarding it during its time in the Senate.

Past Speaker's rulings on bills, where it was found that the bill did not require a Royal Recommendation even though it lowered tax revenues for the government, are available to all here.

Finally, in another Speaker's ruling in 1998, the Speaker said:

The fundamental purpose of the requirement for a Royal Recommendation is to limit the authority for appropriating money from the Consolidated Revenue Fund to the Government. In section 2 of the *Financial Administration Act*, "appropriation" is defined to mean "...any authority of Parliament to pay money out of the "Consolidated Revenue Fund"; Consolidated Revenue Fund is defined to mean "...the aggregate of all public moneys that are on deposit at the credit of the Receiver General."

I have not had the opportunity to present the details of this bill on second reading, but I look forward to doing so as soon as the Speaker has taken the matter under consideration.

Hon. Terry Stratton: Honourable senators, as far as the historical record is concerned, three or four Parliaments ago I first introduced my nominations bill, which I have introduced in every Parliament or session of Parliament since then.

When I first introduced it, it was challenged as being essentially a money bill, even though it had to do only with the appointments of senators and the Governor General of Canada and judges. It was examined as a potential Royal Recommendation. Therefore, because it may have dealt with money, it was challenged.

It was found by the Speaker of the day, I believe Senator Hays or Senator Molgat — it is hard to remember now because it has been so long — that it did not impact. At this stage, I think it still behooves us to look at this bill and examine it, as my bill was examined, with the potential of having an effect on an increase in the public purse.

Hon. Lowell Murray: Honourable senators, a few months ago, in the course of addressing a question to the then Leader of the Government in the Senate, Senator Austin, I expressed my complete incredulity at the prospect of the Liberal Party of Canada going into an election on the slogan, "Vote Liberal, save the GST — *Touche pas le TPS*."

My incredulity is complete today. What has happened is that the election has been held. The then government, I think properly, treated the election result as a defeat and rather than invoke their technical constitutional right to meet Parliament, they resigned to make way for Mr. Harper. Today, as we speak, the minister of another party and of another government is presenting a budget in the place where budgets are supposed to be presented, namely, the House of Commons.

This is not the time for me to discuss the relative merits of a reduction in income tax versus a reduction in consumption tax. I made the case for the GST 16 years ago, or tried to make it over the shouts and catcalls of honourable senators opposite, who were ready to throw themselves in front of the train to stop it.

A lot of people on both sides of the house seem to have changed their mind about the GST, but I have not changed mine. However, this is not the time to discuss the merits. Sympathetic though I may be to my honourable friend's policy, he is bringing the Goodale budget by the back door through the Senate back before Parliament.

Senator Austin: Is this the point of order or my bill?

Senator Murray: I will come to the point of order very directly.

This bill is essentially lifted from the Order Paper of the House of Commons, where it died at dissolution. It is a ways and means motion with a Royal Recommendation, which is essentially being lifted from there and brought in here, albeit by a Privy Councillor. However, we know that being a Privy Councillor by itself does not carry the Royal Recommendation for a bill; so my friend is bringing in the budget bill that died on the Order Paper, with a ways-and-means motion and a Royal Recommendation. He is bringing it into the Senate, which he cannot do, according to convention, the Constitution or our rules.

Senator Austin: You are wrong.

Senator Murray: My friend says I am wrong. I think I am right.

As far as this bill being solely a reduction in tax, I think I heard Senator Di Nino tell us in his point of order that if this bill were to pass, the result would be that cheques would go out, a charge on the public treasury, which is implicit in the bill. It is a budget bill and it is a very complex instrument, as my friend well knows. He cannot put a bill of this complexity in front of us and tell us its only effect would be to reduce taxes. That is not the case and we have been told it is not the case.

The Senate is under assault from various quarters, as we all know. I would defend our performance as a Senate anywhere, but I think that we would be pushing the envelope very far to proceed with a bill of this kind, and eventually, possibly send it to the House of Commons. It would be rejected there forthwith, as it would have to be rejected by that House in accordance with the Constitution and with tradition. If we have a confrontation of any kind with the House of Commons, let us have a confrontation on a matter where we are on solid ground. We are not on solid ground on this matter.

Senator Austin: Honourable senators, I could not disagree more with the Honourable Senator Murray.

First, there is no measure here in my bill that deals with the GST. Senator Murray has used an opportunity to defend his record of 16 years ago, and I will be happy, once we enter the debate, to deal with that question.

However, the real issue here is that these measures are in force. These measures are not some theory being introduced to reduce taxes. As Senator Murray said, they were part of a Royal Recommendation. They were part of a ways-and-means motion. They took effect; and today these tax measures are in effect for 2005 and 2006.

If they are not continued, this government will have to double its taxes. As a report from the Department of Finance said recently, if they were to reinstate the old tax system prior to this legislation, they would have to recapture income taxes from the Canadian public. They would have to recapture exemptions.

Honourable senators, the purpose of this bill in terms of its four issues is to put into legislation the measures that by convention and practice took effect with the ways-and-means motion. Nothing new is being added. This bill is simply to confirm what today is part of the tax law practice, and that is that.

Senator Di Nino: Honourable senators, I want to make one other brief point. In his comments, the Honourable Senator Austin referred to Bill C-259. I want to remind everyone that it is Bill C-259, a bill that originated in the House of Commons, in the other place, supported by a majority of members of all parties, and was not introduced in this place.

Senator Austin: Without that Royal Recommendation.

Senator Di Nino: It was not an S bill; it was not introduced in this place.

• (1630)

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I am somewhat hesitant to make a contribution, but I will not go into detail. I should like to caution colleagues and highlight the importance of this matter in terms of our future work.

I have not had much time to review this matter — and I know honourable senators will be well served with advisers on the matter — but we must be very cautious to ensure that we do not use a description of the fiscal process in the general revenue account in terms of tax procedures on refunds and so on to cloud the water on what I read to be essentially a simple bill to preserve tax reductions that are already in place. Granted, it is a strategy to draw attention to the potential elimination of these tax reductions, which means taxes would go up, but this chamber is not purporting to do that. This chamber, through the passage of this legislation, as I understand it, is doing nothing more than preserving tax reductions already in place. We must be very careful to ensure that we do not allow the simple idea of our powers vis-à-vis the powers of the House be manipulated by a description of the way in which government handles its revenue account.

That is my submission, Your Honour. I think that I am making a plea for you to simplify this to the degree that you can. Without the benefit of the kind of advice that you will receive, I wish to draw your attention both to that important fact and to my view of it from listening to both sides at this time.

The Hon. the Speaker: I thank all honourable senators for their help in resolving this matter. I have always believed that the house belongs to honourable senators. This is why we address each other as honourable senators and not Mr. Speaker as in the other place. I place great value on the contribution to the point of order made by all honourable senators. I will take the matter under advisement and check the precedents and the procedural literature and try to render a decision as soon as I can.

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. John G. Bryden moved second reading of Bill S-213, to amend the Criminal Code (cruelty to animals).—(*Honourable Senator Bryden*).

He said: Honourable senators, Bill S-213 increases the maximum penalties which a court may impose for offences under sections 444 to 447, inclusive of the Criminal Code, dealing with animal cruelty. Otherwise, the code is unchanged.

Before I go further, I wish to point out one of the reasons this booklet that contains the bill is constructed in the manner that it is. The explanatory notes on page 1A and 1B at the back set out the Criminal Code as it is now with the penalties as they are now. This makes it easy to compare the changes proposed by this bill. Only the penalties will change in this bill. The sections that create the offences will remain exactly as they exist and have existed for some time.

This is an important point. These sections and the offences under them have evolved over many years, some of them from the common law before there was a code. Undisturbed, these sections have the great advantage of having been used and interpreted many times and have left a trail of legal precedents that are accepted by and instructive to present-day judges, enforcement officers, prosecutors, and all members of the public in regulating our treatment of animals.

I have introduced this bill because of the recent history of this issue. Over the past four years, Bills C-10, C-10B, C-22 and C-50, dealing with cruelty to animals, have been introduced into Parliament, and each one of them has been stalled either because time has run out or they were turned back by this chamber.

I wish to give those who have been more recently appointed to this chamber some context. Some of them are coming into subject cold. As a former member of the Standing Senate Committee on Legal and Constitutional Affairs, I have been dealing with what, in the last Parliament, became Bill C-50, for the past five years or so. In each of its previous incarnations, Bill C-17, C-15B, C-10, C-10B, C-22 and, finally last year, Bill C-50, the position by the Department of Justice has always been that these amendments

were primarily to increase the penalties available to the courts upon conviction of a person found to be criminally responsible for cruelty to animals and secondarily to modernize and tidy up some of the language in the existing Criminal Code provisions dealing with cruelty to animals.

The Department of Justice made repeated assurances that there were no substantive changes in the law, that no new offences were being created and that, "what is lawful today under the Criminal Code dealing with animals will be lawful tomorrow," or after the passage of those pieces of legislation.

With all due respect, these assertions were simply false. However, once the first version of the bill passed the House of Commons a number of years ago, it appeared that the members of the House of Commons were persuaded that no further examination was needed when virtually the same bill was reintroduced over and over again.

Since the purpose of this proposed legislation was to increase the penalties for cruelty to animals and no one was against that, organizations, businesses and individuals who depend on animals for their livelihood, science or recreation, reluctantly succumbed to the "what is legal today will be legal tomorrow" mantra and acquiesced.

The matter fell to the Senate and its Legal and Constitutional Affairs Committee to examine the bill in detail by hearing from many witnesses concerned with the impact of certain amendments on their dealing with animals and from many lawyers, academics and other experts who questioned the sweeping implications of certain amendments from individuals, industries and recreational activities.

I will indicate some of the problems that were discovered, in point form.

First, the present Criminal Code includes cruelty to animals offences in the crimes against property part of the Criminal Code. Bill C-50 and its predecessors created a whole new part of the Criminal Code for its offences against animals. No one ever was able to explain to our satisfaction the legal implications of that move.

• (1640)

Second, the present code applies basically to domestic animals and animals in the control of persons. Bill C-50 defined "animal" as a vertebrate other than a human being. This expanded the application of its offences to all vertebrates, all wild animals, including fish. It increased the universe to which the Criminal Code sections would apply by hundreds of thousands or millions of animals.

Third, section 182.2(1)(c), just to give an example, stated,

Everyone commits an offence who wilfully kills an animal without lawful excuse.

In the existing Criminal Code, it is not an offence to kill an animal, it is an offence to kill them cruelly, to cause unnecessary pain. What was being brought in was to make it an offence to kill an animal without lawful excuse. We found out during our

hearings that a valid provincial hunting, fishing, trapping licence does not constitute a lawful excuse. The Department of Justice would not tell us what does constitute a lawful excuse when recreational hunting or fishing.

Section 182.1(a) provided that everyone commits an offence who wilfully causes unnecessary pain, suffering or injury to an animal. That is the existing code as well. However, the existing code does not apply to all wild animals, including fish. What does that expanded definition of animal do to recreational angling, particularly catch and release fishing, since fish have been included in the definition of animal under the bill that was being proposed but not the existing law? These issues and others have huge implications for our multi-billion dollar sports fishing and out-fishing industries, to say nothing of the impact on individual citizens who hunt and fish recreationally. To the best of my knowledge, none of these issues had been seriously addressed by the Department of Justice. Perhaps they were waiting for the courts to deal with them by default.

I believe Bill C-50 had huge implications for many law-abiding Canadians, particularly rural Canadians. I was concerned that, armed with this legislation, certain militant groups would have the ammunition to harass industries and individuals whose activities are not criminal under our present law. For that reason, I introduced S-24, in the last Parliament, and for that reason, we now have the new bill introduced at second reading today.

I will not be very long, but I do want to make a comparison, just so everyone really understands what is happening here. In the existing Criminal Code, subsection 446 (1) says:

Everyone commits an offence who

(a) wilfully causes or, being the owner, wilfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird;

Then I go down to the penalty clause:

(2) Every one who commits an offence under subsection 1 is guilty of an offence punishable by summary conviction.

On summary conviction, the normal fines have been in the \$200 to \$600 range, with a maximum of six months of incarceration.

In the bill before you, proposed section 445.1 reads:

Everyone commits an offence who

(a) wilfully causes or, being the owner, wilfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird.

The change is that everyone who commits an offence under subsection 1 is guilty of an indictable offence and liable to imprisonment for a term of not more than five years or an offence punishable on summary conviction and liable to a fine not exceeding \$10,000 or to imprisonment for a term of not more than 18 months, or both.

I have made this comparison to indicate that the issue that has always been driving the legislation relating to amending the Cruelty to Animals Act is the fact that the penalties do not fit the crimes. However, in all of the investigations that I and others have done, we did not find any situations where the existing Criminal Code offences would not permit a charge to be laid in a proper case. The problem ended up that it was not taken very seriously. If someone had a puppy mill, they were charged, paid the \$200 fine and were right back in business. Therefore, the prosecutors give up, the enforcement officers give up, and even the judges give up. That is the reason it is not working.

I take the position that we have a working law that has evolved over the years and everyone understands how to that law. It is effective and it does the job it is intended to do for everyone. To release the pressure of people screaming about how cruel we are to puppies and whatever, all we need do is increase the penalties.

Honourable senators, I sat through many hours of hearings on this issue. I did not hear any examples of acts of cruelty to animals that would not be caught by the current provisions of the Criminal Code. We simply do not need to amend the substantive provisions in order to prosecute the terrible acts that horrify all of us.

In my amended bill, we go from almost all the penalties being by summary conviction under the system in place now, with a maximum of six months, to an indictable situation with up to five years in prison and summary convictions with up to a \$10,000 fine and/or six months. We absolutely need stronger penalties. That is what Canadians want and expect.

The bill I am putting forward today will leave the substantive provisions of the code intact, ensuring that what is lawful today will continue to be lawful, but we would increase the available penalties to the level proposed in every bill that has been introduced by government over the last five or six years. It is short and to the point. I hope to facilitate an end to the situation in which we find ourselves by proposing a solution that cuts to the heart of our real objective in a way that I hope we can all support in order that Canadians' real objective, that of making the punishment better fit these crimes, can be achieved as quickly as possible.

I hope all honourable senators will join me in supporting this bill.

• (1650)

The Hon. the Speaker *pro tempore*: Senator Bryden, will you accept a question?

Senator Bryden: Yes.

Hon. George Baker: Senator Bryden, this is certainly a change from the legislation that the Senate was asked to deal with some time ago. As Senator Bryden and other senators would know, the Senate was faced with a situation where the Canadian Jewish Congress, the Canadian Arab League and various organizations from across Canada came to us with representations. Having spent 29 years in the House of Commons, I must admit that members the other place are not lobbied in as active a manner as are senators. Perhaps that is because it is recognized that members

of Parliament really do not have the time to deal with legislation. They are too busy getting re-elected. They do not really deal with the law and changes in the law, and thereby, I enjoyed it for 29 years.

Let me ask the honourable senator a question. He is correct in the case law. All of us read the cases from QuickLaw, Westlaw and Carswell on a daily basis. Instead of reading novels, we read case law. It appears as if, under sections 444 to 447 of the Criminal Code, that the judgments have been consistent in each province in that they have referenced, in a similar manner, assault charges brought under the common assault provisions of the Criminal Code. In other words, one arrives at a point at which one should stop — *R. v. Jorgensen*.

The change being made here will make the offence hybrid. A hybrid offence, summary or indictable, automatically comes under the Identification of Criminals Act. As a result, when a person is charged with a hybrid offence, it is assumed by the court that the offence is indictable until the Crown elects which way it chooses to proceed. Someone is then fingerprinted, photographed and so on.

In those circumstances, is the honourable senator making this a hybrid offence to highlight the fact that people regard cruelty to animals at a much higher level than they do assaulting human beings as defined under the Criminal Code?

Senator Bryden: Thank you for that question — I think.

There is no question that we must have hybrid offences, to use your term, because in order for the penalties to fit the seriousness of the crimes, we must have the opportunity to treat most of the severe penalties as indictable offences and still leave open the opportunity to treat them as summary conviction offences.

We have done very well in our criminal law system by giving as much discretion as we possibly can to judges and, indeed, prosecutors in properly laying charges.

My honourable friend mentioned the number of people who appeared and who were very concerned. One of the groups of people who were most concerned about the bill that came out of the justice mill was the Aboriginals. Under our Constitution, the Aboriginals should have been consulted. There should have been a lengthy consultation because their livelihoods and way of life depend so much on animals and fish. Nonetheless, no consultation occurred, which was very troublesome.

Ask Senator Adams or Senator Watt. It was a major issue with the industries in this country, particularly the fields of health care, pharmaceuticals and in the laboratories. Those industries are closely regulated and monitored, but they are often the subject of harassment by militants who support the animal rights kingdom.

The fact is that it is very difficult to put something as tough as was going into Bill C-50 into the Criminal Code to say that someone commits an offence if they kill an animal without lawful excuse. No one will define what constitutes a lawful excuse. If you were being attacked by a grizzly bear and you defended yourself, that would probably count, but just to have a licence, or, for

example, to adhere to all of the slaughter regulations within a province would not constitute a lawful excuse.

In other countries, the really militant animal rights people are treating the fact that something, on the face of it, is criminal as a justification for them — whether there is any foundation for it or not — to harass.

Let us take, for example, an Aboriginal hunter who does something that he has been doing all of his life, to say nothing about the seal hunt, for example. I do not want to get into that issue. However, if he does something that he has been doing all his life and all of a sudden, somewhere in Ottawa, this change is adopted, just killing an animal without lawful excuse becomes a crime. The Criminal Code trumps everyone else. The animal rights people, and indeed some enforcement officers, will say, "You are committing a criminal act. Where is your lawful excuse?" The person's lawful excuse may be to say, "This is my traditional way of life." The enforcement officers would say, "No, it is not, so I have to charge you." The answer that was always given was, "Well, that is fine; let the courts decide."

I can tell honourable senators that there are very few Aboriginal hunters or just ordinary folk out on the farm who are able to go with a group like PETA — the People for the Ethical Treatment of Animals, which is funded out of the U.S. — all the way through litigation. What happens is the person just gets up, and he has lost that right.

Honourable senators, we have to be able to take care of those people who read in the press that some ignorant bully is running a puppy mill where animals are improperly fed, where they are dying of thirst, and so on, and nothing can be done about that except to give the guy a \$500 or \$600 fine. Then the whole world blows up in the newspapers saying that we have to change the law. Yes, we have to change the law, but we have to change the law to increase the penalties to the people who are breaking the law. We do not have to create more laws to give people an opportunity to take advantage of them.

The Hon. the Speaker *pro tempore*: Honourable Senator Adams, do you have a question?

• (1700)

Hon. Willie Adams: I know Senator Bryden, with whom we worked for close to five years on different issues. I wish to ensure that the honourable senator's bill is better than the other three that were put forward and which were on the Order Paper in the last five years.

The honourable senator talks about hunting. Mostly the honourable senator talked about fishing and deer hunting and other forms of hunting. We are concerned that our original way of life will not be disturbed. We do hunting of seals and whales and we fish. There was a bill concerning the feeling of mammals. If this bill passes through the Senate it will have to go to the House of Commons. I hope that it gets there and I hope that clause, which is in other bills, will not be in the bill the honourable senator has now. If it is, I am still worried about the bill going from here to the House of Commons. Some people over there may have liked Bill C-50. I want to make sure that that will not happen.

The honourable senator mentioned the penalties and the jail sentences. There was a five-year sentence, with a maximum up to a \$5,000 fine. Do I understand that Bill S-213 now says the penalty is 18 months and a fine of up to \$10,000.

Senator Bryden: The penalties depend on the seriousness of the offence, honourable senators. Once again, we are dealing with the offence with which the Honourable Senator Adams is very familiar. It is the one that he has lived and worked with all his life. Nothing has changed in this bill.

Some of the offences in the Criminal Code now do not carry as heavy a penalty as some others.

For example, the first offence is an archaic one with the heaviest fine of \$5,000 if an offender kills cattle. I believe that goes back to the old rustling days. If one looks at the wording of the existing bill — and by existing I mean the wording that is in the Criminal Code now — one reads it and some of the terminology is somewhat archaic. I am a lawyer and I can remember being told that law does not have to be poetry; it has to be clear. People must understand what you mean. While some of the terms in the Criminal Code may have been current terms 50 or 100 years ago, they have come forward and they have been interpreted in a manner that every judge or prosecutor who deals with these matters knows exactly what is meant, and so do the people who work with the animals that are there.

The honourable senator has a legitimate concern, as do I, and that is we may be able to manage this bill while it is in our jurisdiction, while it is within this chamber, our committee and comes back and receives third reading. This bill can hopefully be sent to the other place and, perhaps, it will be treated in a manner that will reflect at least as much if not more concern for the people who interact with the animals than it seemed to be the last time, when the drafters and so on got into this. To be charitable, the animal rights people had a very strong lobby that produced the series of bills. We sent them back to be fixed and they kept returning in basically the same form.

I am hopeful with starting out with a bill that says, “We know that the cruelty to animals provisions that are in the existing code work.” What does not work is once you have made the arrest, once you have had the trial and it comes time to mete out a sentence. We cannot leave our justice system in a situation where the maximum penalty they can impose is \$600 or a maximum detainment would be six months. That would not discourage the professionals who are causing some of the problems.

The fines are tailored to fit the particular offences and they vary. The maximum on an indictable offence goes up to \$5,000 or 18 months. On summary conviction, the penalty is \$5,000 and up to six months in jail. I do not want to get into the situation of saying that we want minimums. We do not want that. We need to give the opportunity and range to the prosecutors and the courts to be able to make the punishment that is available fit the particular incidents with which they are dealing. They do not have those tools now. That is the only thing in my opinion that needs to be changed to give us a very good protection act for animals in our care.

Hon. Anne C. Cools: Honourable senators, it is a long time since we looked at Bill C-10B in committee. I believe that bill was originally divided from Bill C-10. If honourable senators have the interest, wish or desire, they should some day look at the proceedings of that committee and even the proceedings on the bill here in this house to examine the lucid and clear interventions that Senator Bryden made on that matter.

My question to the honourable senator is this: At that time there was concern within the committee about the sustenance and maintenance of the old common law defences. I have yet to look at the bill in this session. Will this bill address the concerns we raised then? At the time, committee members, the honourable senator included, as well as the Honourable Senator Baker, were not satisfied with the responses that the department had been making to our concerns about the common law defences. Would the honourable senator comment, please?

Senator Bryden: Honourable senators, there has never been a question whether or not the old common law defences apply to the offences under 444 to 447 of the Criminal Code; they do. They will not change. Those protections are there and will continue. The same is true with respect to the types of protection available and that have been worked with for years in relation to the religious rites and if you have a regulated animal industry or business, such as the stampede. We heard from lawyers when the bill was before us the last time, who would not give us an opinion whether the stampede in Calgary would go ahead if that bill passed. That is not part of what I am talking about. We will continue to do what we have been doing. We will give the courts, the prosecutors and the enforcement people a little more muscle to be able to say: This is the second time before the court for this offence; this time it is indictable; and this time the person will go to jail.

• (1710)

Hon. Tommy Banks: The proponents of the bill presented on three previous occasions argued that the provisions of the common law still obtain notwithstanding the removal of the colour of right reference and that if that bill had become an act of Parliament, nothing that is illegal today would be illegal tomorrow. Many of us disagreed with that because we recognized at least one new offence in the proposed legislation, so those two things do not work. Is there anything in the current bill before the Senate that is legal today that would be illegal should the bill pass and become law?

Senator Bryden: Absolutely not. Bill S-213 does not change the law except to change the penalties. Thus if it is legal today under the Criminal Code, it would be legal still when the bill passes and becomes law because the fundamental offences have not been changed. They are identical. I had the law clerks review the bill with a fine-toothed comb to ensure that the offence sections mirror precisely what we have now in law and have been living with all our lives. The only thing that has changed are the penalties for violation of the sections.

Hon. Terry Stratton: If I may, I would like to congratulate Senator Bryden. During the last Parliament, we saw that this was a good bill. For him to reintroduce it now, I wish him well.

Senator Bryden: Honourable senators, I know I should not comment, but the pride of authorship that I would take in this bill would be to see Bill S-213, with or without my name on it, become law. If the senators opposite were to take it over as a government bill, they would face no objection from me.

On motion of Senator Stratton, debate adjourned.

PERSONAL WATERCRAFT BILL

SECOND READING—DEBATE ADJOURNED

Hon. Mira Spivak moved second reading of Bill S-209, concerning personal watercraft in navigable waters.
—(Honourable Senator Spivak).

She said: Honourable senators, the Senate has passed this bill three times: October 2003, May 2004 and November 2005. We have spent some 30 sitting days on a bill that is little more than a housekeeping bill to close a regulatory gap. As well, it was introduced for first reading in the House of Commons twice but died on the Order Paper at prorogation and dissolution of Parliament.

Tens of thousands of Canadians support Bill S-209 in every province. Municipalities, cottage associations and provincial governments support it because a long time has been spent in pursuing this issue.

Of the 30 days spent on Bill S-16, Bill S-10, Bill S-8 and Bill S-12, 13 days have been spent by Senate committees, often in lengthy sessions with witnesses, but not at my request. Thirteen days of hearings and deliberations is more time than Senate committees devote to many major government bills. The Standing Senate Committee on Energy, the Environment and Natural Resources has spent more time on this bill than it devoted to bills on the long-term management of nuclear waste or on the protection of species at risk, and there is a reason for that. The bill's chief opponent, the Executive Director of the Canadian Marine Manufacturers Association, had the ear of committee members in June 2001, June 2003, February 2004 and June 2005. His requests to appear again and again were granted on the grounds that he had something new to say. Then, committee members heard the same old story. For four years the graciousness of committee chairs and their desire to demonstrate utter fairness in our proceedings has been leaned upon.

The bill was twice introduced in the House of Commons where it gained the support of individual members of three of the four parties. On the first occasion in 2004, it was sponsored by Mr. Clifford Lincoln, the highly respected former Member of Parliament for Lachine—Lac-Saint-Louis, who, not incidentally, was a former Quebec environment minister and a Liberal. The Conservative Party also endorsed it strongly. James Moore, Conservative transport critic, said on May 10, 2004:

Just so the House understands, the official opposition, the Conservative Party of Canada, strongly supports Bill S-8. We see it as a precedent for the new kind of new government Canada needs in respecting local authorities,

giving power, money, control and influence back to Canadians, back to municipalities so that we can all have the kind of government we want, not the kind of government that is mandated by Ottawa and the bureaucrats here.

Mr. Lincoln did not seek re-election and it was Mr. Moore who last introduced the bill in the other place. On November 28, 2005, in the dying days of the Thirty-eighth Parliament, he said:

It is a bill that essentially speaks to Conservative principles, which is giving more power, money, control and authority to municipalities and cottage —

— communities —

— when it comes to regulating personal watercraft for noise and pollution purposes.

For the benefit of the very few senators who are still unfamiliar with this bill, let me briefly explain how astute those words are. Mr. Moore is correct. The bill essentially allows municipalities or cottage associations to do something about their problems with personal watercraft, if they so choose. It does not force them to do anything. It would change nothing overnight, and it certainly would not ban personal watercraft everywhere, or perhaps not anywhere, although they are banned in one place in British Columbia but strictly through municipal regulations. The bill would enable local authorities with the benefit of knowledge of the local waters to determine where personal watercraft are fine to use and where they are too great a threat to the environment and peaceful enjoyment of our lakes and rivers.

I would add one thing: The bill also allows local authorities to act in the interests of safety. It also allows them to determine what areas should be off-limits to protect swimmers, canoeists, kayakers, people in paddle boats, water skiers and others in or on the water. There is ample evidence that for safety reasons alone these thrill craft, with their engines that top 200 horse power, need some new regulation. We have Canadian data that shows the tragic death toll and the disproportionate injury rate compared to other power boats. In Australia, the U.S. and elsewhere, safety trumps thrills, especially when it is a matter of our safety and your thrills.

Last spring our committee heard from an American senior official of Bombardier Recreational Products Inc., who is the relatively new owner of the manufacturing firm. Privately, he was surprised to learn that his Canadian colleagues opposed any new regulation of any stripe, including the model bill that he and other industry leaders in the U.S. developed and urged states to adopt.

• (1720)

In Canada, these same lobbyists persuaded the previous government not to interfere with the deadly free-for-all on our lakes and rivers. In 1994, the government briefly proposed a regulation similar to this bill. Manufacturers lobbied hard against it and the government turned tail.

I have every reason to believe that the current government will not succumb to the lobbyists' pressures. I will reiterate that I would be delighted with any other initiative that finally makes this bill redundant, such as putting a schedule in the regulations.

Meanwhile, however, we have the practical problem of having the bill in this place and getting it to the House of Commons to allow elected officials to cast their votes at last.

In the last Parliament, a stalling was orchestrated by Mr. Patrick Gagnon, registered lobbyist on this bill for BRP Inc. When the bill was before committee last spring, he said frankly that he would ensure that it was stalled long enough to die before an election was called — and he did.

There were many adjournments. Delay on third reading spanned five months and perhaps would have been longer if an election had not been in the offing. We have generous rules in the Senate, rules that respect that many senators are busy outside this chamber travelling with committees and engaged in other public business. However, let us call a spade a spade. A stretching of the rules orchestrated by lobbyists should not be tolerated, because when we tolerate it we lose credibility in the eyes of Canadians.

When the bill died one time before and was again forced into hearings, I received two pointed comments. The first was from Quebec. It said:

Let's face it, and correct me if I am wrong; we have to pass through three readings at the Senate and after that three readings in the Commons in the same parliamentary session. It's virtually impossible...Bill S-12 will die another time.

I say very sincerely that if any senator believes he or she needs more factual information about this bill I would be delighted to furnish it. If any senator wants to know what witnesses have told the committees, he or she can turn to a good summary that has been prepared by the research staff of the Standing Senate Committee on Energy, Environment and Natural Resources. I urge the one or two senators who have not had an opportunity to look at this bill to consider it carefully. I urge the many who have considered it again and again to carefully consider the fact that perhaps we should not allow this to drag on forever.

As the Energy Committee is so fond of saying, let's get on with it.

On motion of Senator Stratton, debate adjourned.

NATIONAL CAPITAL ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Mira Spivak moved second reading of Bill S-210, to amend the National Capital Act (establishment and protection of Gatineau Park).—(*Honourable Senator Spivak*).

She said: Honourable senators, just minutes from where we sit, across the Ottawa River and four kilometres west, there is the only large federal park that remains beyond the direct reach of Parliament. Gatineau Park is a federal park, not a national park like Banff or Riding Mountain National Park. If Gatineau Park were a national park, an act of Parliament would define its

borders. To change them, officials would need to tell us why they want the park to grow or to shrink. If Gatineau Park were a national park, nothing could alter its size or shape without the consent of Parliament.

As a federal park, the borders of Gatineau Park are mutable. They have changed a great deal in recent years. Bill S-210 would give Gatineau Park the same kind of statutory protection and parliamentary oversight that we have granted all other significant parks in this country — parks not within sight of the Peace Tower.

The bill first requires cabinet, by Order-in-Council, to set out the boundaries of Gatineau Park as they stand today. The order must be made within 60 days after this bill receives Royal Assent and must be tabled in each House.

That requirement may seem onerous. In fact, it would be reasonable to expect that there already is an Order-in-Council or some other document setting out what is currently parkland and what is not.

That reasonable assumption would be wrong. The National Capital Commission, the park's legal guardian for almost 50 years, has no description, no "metes and bounds" of Gatineau Park as it now exists. The commission says it can identify lands within the park "by using a compilation of surveys prepared of all lands acquired for park purposes since the creation of the park."

These survey maps line some 15 feet of shelf space. It was not always the case. In 1960, an Order-in-Council set out a boundary. It was drawn on a very large map attached to the order and appeared as a wide shaded line "thereon indicating the Gatineau Park boundary."

Until the mid-1990s, the NCC viewed the 1960 Order-in-Council as the legal instrument that defined the park boundary. Internal documents signed by NCC senior officials make repeated references to the fact. The view was shared up through the ranks of the NCC executive committee that in September 1995 approved a new rationalization of the boundaries and "the object to amend the Order-in-Council of 1960 that legally defines the boundaries of the park."

For whatever reason, it has never been done and the NCC's current interpretation of history has it that the 1960 Order-in-Council did not set the boundary. Rather, it gave authority to the NCC to acquire land within that wide shaded line. There was a "metes and bounds" description prepared in the 1960s at the NCC's request. It can be found in a Quebec Order-in-Council of 1974 that established the territory of Gatineau Park as a provincial game reserve. The surveys were completed in 1965 and the surveyor attested to the description in Hull the following year.

The NCC has sold off so much parkland since then, declared so much more parkland surplus and added one such sizeable tract of land that those 1966 metes and bounds no longer describe the park. If they did, we would have a park with a new housing development, a new hospital, a new strip mall, new four-lane highways and land cleared by logging trucks.

In November of 1997, the NCC approved a rationalized park boundary that retroactively excluded lands already sold. It is the boundary that very likely stands today, but stands without a description.

• (1730)

There are very practical consequences to the vagueness of the boundary — a boundary that has only a few areas of fencing and fewer signs. Hunters have very little way of knowing when they are in the park or outside its borders — the same for local residents who harvest firewood.

Then there are those who grow and harvest their own specialty crop — marijuana. In the last five years alone, Gatineau Park conservation officers have filed 30 reports of marijuana grow operations with the area police.

That criminal laws can be so openly flouted on federal parkland so close to Parliament Hill is frankly stunning, as is the lack of on-the-ground, practical attention paid to the park by its current legal guardian. I do not mean to be harsh, but these are the facts. Therefore, the first order of business in this bill is the description of the park, something that should have been done long ago and I hope will be started soon, even before this bill may or may not pass.

The second order of business is to set down a mechanism for the government and future governments to expand the park should they wish to do so. Any proposed expansion of the park would require an agreement between the federal government and the Province of Quebec, public consultations and the concurrence of Parliament. Committees of each house would have 30 sitting days to examine the proposal, and it would proceed only if both houses consent.

Park advocates may wonder why parliamentary oversight is needed when a government wishes to do the right thing, to preserve still more land in its natural state and for the benefit of all Canadians. They need only look to the NCC's expansion of Gatineau Park through Meech Creek Valley, and the environmental damage that resulted.

The NCC has, in fact, enlarged Gatineau Park since the 1996 survey by some 436 hectares. In 1994, the NCC added 564 acres of farmland in Meech Creek Valley on the northeastern side of the park. This was farmland that the Quebec government had expropriated decades earlier for a zoo that never materialized. The valley's rolling hills are picturesque and very different from the other park's landscapes, but the expansion was tantamount to adding a cattle ranch to Banff National Park.

Stranger still, the NCC was not certain what it wanted to do with its new acquisition. It had outlined a business plan for a resort, hotel, conference centre, camping, golf course and equestrian park. When local residents were consulted a few years earlier, there was little enthusiasm for those plans.

For eight years, a land use concept document for the valley sat on the shelf. It included plans to develop visitor services and tourism projects on a request-for-proposal basis. Yet, as the NCC says, no action has yet been taken in this regard.

While pondering what to do with the land, the NCC rented a large share of the valley to the son of former NCC chairman Bud Drury. Mr. Gibb Drury raised cattle but did not fence them in, and the cattle fouled the creek that flows into the Gatineau River.

The local municipality received its first complaint about pollution in October 1995. The NCC studied it and studied it again, but nothing was done until Environment Quebec and Environment Canada intervened. Ten years later, the NCC was still extending deadlines for the completion of fences, and finally turned for legal advice to end the lease, a lease that is due to expire in August 2007.

The land in the Meech Creek Valley was acquired in a complex exchange that saw other NCC properties near the park, valued at \$1.8 million, first transferred to the regional CEO and then to the City of Hull, the Université du Québec in Hull and Canadian Pacific. Park buffer zones vanished, as did land that might have linked the park to the Ottawa River.

With this bill, committees in the House of Commons and the Senate would be able to examine any similar future proposal for expanding the park, and clearly determine its value before agreements are signed and sealed.

Third, this bill would prevent the removal of any portion of Gatineau Park by Order-in-Council to sell off land that has been declared in the national interest to be held in perpetuity for all Canadians. The NCC would have to return to Parliament and gain our consent to amend this bill. This is no different from the protection we give our national parks.

In the absence of that protection, the NCC has already removed from the park 48 properties, totalling 610 hectares. The early to mid-1990s saw the sale of 112 hectares near Wakefield and 10 properties in the Lac des Fees area of the park's southern region. Much of the land was declared surplus as a result of highway construction that sliced off chunks of the park.

No doubt good arguments can be made for highways and arterial roads to serve an expanding population in the Outaouais. When these or other developments radically alter the land use of property acquired by past governments for the benefit of all Canadians, however, they are arguments that should be made to Parliament. That consent should be a precondition to the sale of parkland to individuals, to housing developers or to numbered corporations.

Fourth, this bill would recognize that a good deal of Gatineau Park remains in private or provincial hands. Some 855 hectares, or 2 per cent of the park, is private land. Another 17 per cent is owned by the Province of Quebec. In the 1960s, the NCC expropriated 20 properties in Gatineau Park. Between 1976 and 1990, Public Works and Government Services expropriated another 28 properties on the NCC's behalf.

For a time, it was NCC policy to buy up properties as they came on the market, but now that plan seems to have ground to a halt. At least 32 new homes have been built on private land inside the park since 1992.

Perhaps a more striking example of the NCC's lack of interest in acquiring the remaining 2 per cent of private land is the 17-hectare property known as the Radmore Farm. It sits inside the park boundaries south of the environmentally sensitive Pink Lake, and is zoned for 1.5-hectare residential lots. It went on the market last summer at \$1.5 million. The NCC apparently offered one-third the asking price and the property is still up for sale. The listing agent predicts that unless the NCC purchases or expropriates this land, it will be sold to a developer and there will be a subdivision inside the park.

This bill would not and cannot require the NCC to purchase land. It would encourage that process, though, through the words and the preamble and through the clauses that require that vendors give the NCC the right of first refusal. It is a modest step, but one that sends an important signal from Parliament to the commission that over time it should complete the job.

This begs the most important question the bill does not address: Why not make Gatineau Park a national park? However, from the outset, that was the intent of many of the park's early supporters.

In 1912 to 1913, Sir Clifford Sifton, minister of the Interior, trumpeted the motion. A few decades later, the *Ottawa Journal* published an editorial supporting Prime Minister Bennett's decision to take up the cause that had been raised by then opposition leader Mackenzie King. As prime minister, King was less keen to quickly transform the park into a national park, although he willed his sizeable estate to the country and it remains a main attraction of Gatineau Park.

There are some very recent examples of advocates for a national park. Last December a *Montreal Gazette* editorial strongly favoured that route; and last month a poll commissioned by the *Ottawa Citizen* found that 80 per cent of the respondents in Ottawa favoured giving the park that status.

• (1740)

The idea never seems to die, but it never seems to take complete hold. As Parks Canada officials say repeatedly: For a park to achieve standing as a national park, the federal Crown must own all the land, obtain subsurface rights from the province, and if private land use is permitted, as it is in Banff or Riding Mountain National Park, Parks Canada must control them.

When Alan Latourelle, Chief Executive Officer of Parks Canada appeared before the House of Commons Environment Committee in 2004, he got the perennial question and replied that, "In this specific case, if it were to be considered for a national park, we would require the Government of Quebec's support, and clearly historically we have not received that level of support anywhere in Quebec to create national parks. So it's not an option we're looking at."

In fact, that is wrong. There are three national parks in Quebec — all created through agreements between the two governments La Mauricie Park, for example, involved a land swap, just as the two governments made an exchange in the early 1990s for Gatineau Park. There was one significant difference in the Gatineau Park agreement, however: Quebec contributed only

the management rights over 4,000 hectares of forests and lakes in exchange for the management rights over urban land owned by the Government of Canada and chosen as the site of a provincial college.

Another Parks Canada official, Mr. Kevin McNamee, Director of Park Establishment, more recently told a reporter that, "Being aware of Quebec's policy, Parks Canada has never contacted Quebec over the Gatineau Park."

But in fact, in 1913, parks commissioner James Harkin sent Quebec Minister of Forests Charles Devlin a letter proposing the Gatineau as Quebec's first national park. At least one more overture was made by Quebec premier Adélard Godbout in the 1930s. Whatever the reason for Parks Canada's current policy, Quebec government officials have another take on the reality. In a December 14, 2005 interview with *Le Droit*, Benoît Pelletier, Quebec's Intergovernmental Affairs Commissioner said the Quebec government had never opposed the conversion to a national park because it had never been asked. He went on to say that, "It is an idea they have never proposed."

This bill, while unable to advocate spending for a new national park, can again draw attention to that possibility. If governments are so interested, the bill could prompt them to move beyond what it is that an individual parliamentarian could do. If the government does not wish to do that, this bill will preserve the land in its natural state for the time when the park can become a national park.

Honourable senators, this precious piece of Canada almost right on our doorstep does need protection from still more highways and still more development. I would urge honourable senators to consider the bill.

On motion of Senator Cools, debate adjourned.

FOOD AND DRUGS ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Jeremiah S. Grafstein moved second reading of Bill S-205, to amend the Food and Drugs Act (clean drinking water).—(Honourable Senator Grafstein).

He said: Honourable senators, I wish to provide a brief history of this bill. Approximately five years ago, Canadians awoke one morning to discover a series of tragic events cascading across Canada, first in Walkerton, Ontario, my province; then in North Battleford, Saskatchewan; then in Charlottetown, Prince Edward Island. Clean drinking water had suddenly become a national "hot button" issue. Suddenly, the national media began to report local water advisories sprouting up in every region of the country: Quebec, Newfoundland, Manitoba, Alberta, British Columbia, the Aboriginal communities across the north and across Canada. Every region of Canada was affected. How could this be? We were taught in our schools that Canada had the greatest supply of clear, fresh drinking water. We discovered that Canada's capacious fresh water was not only in danger, but also that pollution was deteriorating our fresh water supply.

Honourable senators, I also have a bill on the Order Paper that I will address at a future time about that issue: What to do when faced with a national public health crisis in every region of the country based on our most precious commodity, our natural resource, water.

Where was the national media? It became clear on a careful review that this problem of clean drinking water had escaped concerted national attention as bad water problems were reported locally. Drinking water was a local problem. The national media would rarely accumulate the numerous local drinking problems across the country. Unhealthy drinking water, as a national crisis, lurked, hidden below the national media screen. Even though clean drinking water is the daily staple of each Canadian, and we are admonished by experts to drink at least eight glasses a day, the crisis was undetected and uncovered. National statistics were hard to find. The federal and provincial authorities and agencies did not coagulate the scope of drinking water problems or correlate the cost to our public health budgets, municipally, provincially or federally. Was anyone keeping track? What were the facts before policy?

At the urging of our Aboriginal colleagues in the Senate, I set about, as a senator from the region of Ontario, to study the problem. I could only get anecdotal information, but it was compelling. In the result, I introduced Bill S-18, which is identical to S-42, which was introduced in the last Parliament and died on the Order Paper. I now reintroduce the same bill under the new number, Bill S-28, which is identical to the two preceding bills, each of which died on the Order Paper.

First reading of Bill S-18 took place in February 2001. Second reading was approved and referred to the Standing Senate Committee on Energy, the Environment and Natural Resources on April 24, 2001. The committee reported the bill without amendment on May 10, 2001. At third reading, it was referred to the Legal and Constitutional Affairs Committee, on June 13, 2002, and died on the Order Paper of that Parliament. Bill S-205 is identical to S-18, which I introduced five years ago; and S-42, which was introduced over a year ago and died on the Order Paper of the last Parliament.

This bill is very simple. It is a remedial measure in scope and is clinical and simple to understand. To amend the Food and Drugs Act by adding clean drinking water as an objective so that the federal agency already mandated to regulate drinking water in bottles, ice cubes and soft drinks would regulate community drinking systems as well. Bill S-18 encountered delays at third reading from supporters of the government, who were against the bill. A foremost advocate was our former colleague, the learned Dr. Morin from Quebec, who argued at third reading that, in his medical opinion, since water did not contain nutrients, it could not be considered a food under the Food and Drugs Act. I immediately attended upon Senator Keon, who agreed with me, based on the other scientific advice that I received, that that was not the case. Dr. Morin argued that community drinking water was beyond the scope of the FDA. Shortly after he left the Senate, to be fair to the honourable senator, he came to me and he told me that he would now have supported the bill if it were to be reintroduced; it was too late for him, but it is not too late for us.

It was clear to me that drinking water did contain nutrients, and so I was advised by doctors and scientists outside this chamber as well. Thus, the learned doctor's objection was not based on a scientific fact. Meanwhile, the damage to the health of thousands of Canadians in every region of the country continues and continued unabated.

The previous government raised objections, legal and constitutional, and thus referred the bill to the Standing Senate Committee on Legal and Constitutional Affairs. That government appeared concerned that the bill would be considered an incursion in provincial jurisdiction.

• (1750)

Not to be deterred, I reintroduced the bill as S-42 and spoke on second reading on October 25, 2005. In a flurry in the last Parliament, debate was adjourned and the bill died on the Order Paper.

What has changed? Nothing. The situation is the same now as it was in 2005, when the bill was first introduced. While measures have been introduced in Ontario, Saskatchewan, and the Aboriginal communities in the last budget, the situation with clean drinking water remains bleak. It is clear that the federal government already has regulatory oversight on water, in bottled water, drinking water, in parks, planes, trains, and of course in Aboriginal communities.

In fact, the food and drugs authorities, with the cooperation of the provinces, issued a voluntary drinking water guideline, a voluntary guideline. Regretfully it is voluntary and years behind in its science because of bureaucratic delays and, regretfully, the Auditor General reported that it is woefully out of date.

Mr. Justice O'Connor of Ontario in his landmark report respecting drinking water arising out of the Walkerton tragedy clearly outlined the scope of the federal jurisdiction. No one challenged Mr. Justice O'Connor's constitutional view that the federal government has clear jurisdiction on this matter. The federal government, as well, has an overriding responsibility under the Constitution to ensure that matters of public health affecting the nation as a whole must be addressed. This is the essence of Health Canada.

Previous governments have objected to this bill because it might trigger additional federal costs to infrastructure associated with water treatment. If you say it is a problem, if the federal government says it is a problem, it takes money and monetary responsibility. However, recent federal government budgets — and I do not know, perhaps the budget that was introduced in the other House today — designated substantial allocations toward drinking water infrastructure to the provinces, but no one is keeping track. How much? Where is it going? To what effect? There is no accountability for the results — clean drinking water. We simply do not know. Money is being thrown at the problem and thrown at the Aboriginal communities, but we still do not know in any measurable, discernible way whether drinking water has been improved.

There is a long list of areas where the federal government makes frequent infrastructure investments to matters traditionally considered within the provincial scope of activities when it affects the health or the economy of the nation as a whole. That the federal government would save billions in preventive health costs if community drinking water was no longer a threat to the public health of thousands and thousands of Canadian men, women and children, is now, in my view, beyond question.

Honourable senators, this Senate and the previous governments could not agree with this measure at the time it was introduced, or since. Let me state more carefully the objections.

The Canadian Food Inspection Agency, CFIA, responsible for regulatory enforcement of the Food and Drugs Act, would become responsible for inspecting community water systems. This would not displace the provincial governments. This would be an oversight function, as mandated and as implicit in the Constitution, to overview the provinces when the provinces fail to do the job they are supposed to do.

The previous governments believed this would be an incursion into areas where the provinces and territories are presently exercising jurisdiction and that this might be criticized by them. The adoption of this bill by Parliament, those governments argued, would jeopardize long-standing federal-provincial-territorial collaborative relationships in the area of drinking water.

The federal government already has a drinking water strategy for the First Nations. Additional regulations, investment, compliance programs would be necessary, so said the previous governments. Of course, I agree. We now have independent evidence that current drinking water strategy for the First Nations is being implemented, but it is still not working. What happened since Walkerton, Ontario, in 2002 and in North Battleford?

Let me sum up the current situation. While some provinces have indeed started to improve on improving community drinking water, not one province, not one community has fully implemented Mr. Justice O'Connor's 93 recommendations, especially water standards testing with the daily right of the public to know about clean drinking water in each of our communities in Canada. That was one of his recommendations. We should be able to push a button and say, "Can I drink the water today in Toronto or Moncton or in Quebec City or in the North or in Vancouver?"

I will come to Vancouver in a moment because we have in this chamber, not today, a former mayor.

Provinces, stretched for resources, have left discretion too long absent public pressure for public health, and because of the lack of current statistics, there is little or no accountability or public pressure to galvanize provincial action.

Statistics Canada indicated in the years 1999-2000, over 2,150 of 100,000 children reported cases of giardiasis — a drinking water disease. It appears that these numbers were underestimated.

In Alberta, one quarter of drinking water contained traces of pesticide. In British Columbia, the Sierra legal group issued a report entitled *Watering Down* concerning 28 water-borne disease outbreaks in 2003 and estimated that 10 per cent of B.C.'s water systems were under or should have been under a boil water advisory.

In 2002, Manitoba passed a Drinking Water Act. Since then, it was discovered in Winnipeg that concentrations of disinfectant by-products considered carcinogenic could be located in Winnipeg drinking water. In layman's language, "carcinogenic" means cancerous, the cause of cancer.

In Portage la Prairie, lead concentrates exceeded Canada's guidelines.

New Brunswick, Quebec — particularly rural Quebec — and Newfoundland continue to lag behind in maintaining even the minimum federal guideline in a large number of communities. Many of these small communities to this day have to boil their water for everyday use — in Canada, in the 21st century. There are housewives in Newfoundland, in the North, in every region of the country who are boiling their water because they cannot get clean drinking water in their homes.

Regretfully, honourable senators, little has changed in terms of demonstrative improvement since my bill was introduced over five years ago. It may have improved, but it has not improved enough. We still have an invisible health crisis. Canadians continue to drink unhealthy drinking water in many communities and in every region across Canada.

The Americans, at least, passed the Clean Water Bill in 1972 to allow federal regulatory oversight. One positive outcome of the U.S. act is that U.S. citizens, by tapping into the U.S. federal Web site, can obtain the last water advisory in each community and each region of America. We are ahead of the United States in terms of connectivity, and we cannot get this issue on the screen.

An ounce of prevention, my late mother always taught me, was worth a pound of cure. The cost to our public health system is far outstripping the cost of prevention. Let us, as senators from each region, support this rather clinical, septic solution to one of Canada's greatest health hazards, bad drinking water.

Finally, honourable senators, let me turn to the recent evidence of Johanne Gélinas, Commissioner for the Environment and Sustainable Development, before the Standing Senate Committee on Energy, the Environment and Natural Resources on her report to the House of Commons. She is part of the Auditor General's agency and thus an officer of this Parliament. She also gave evidence, not only on the other side, but to Senator Banks' committee. Let me quote from her most recent statement:

One of the essentials of daily life is access to clean drinking water. In a country like ours, we all assume that the water we drink is of high quality.

But the truth is, in some areas where the federal government has responsibilities, not all Canadians can be sure their drinking water is safe. This includes nearly half a million Canadians living in First Nations communities.

The government has known for years that an overwhelming majority of water systems in First Nations communities pose health risks. Between 1995 and 2003, almost \$2 billion was spent to build and operate drinking water and sewer systems on First Nations. Between 2003 and 2008, a further \$1.8 billion will be devoted to these projects.

Unless strong action is taken, it is unlikely that this money, including \$600 million invested in the First Nations Water Management Strategy, will result in safer drinking water in the future.

The major problems include the lack of laws and regulations on drinking water in First Nations communities and inadequate support given to First Nations for operations and maintenance.

• (1800)

The federal government is also responsible for making sure that drinking water is safe at federal sites, including military bases, national parks and federal facilities.

Guidelines produced by the federal government, in partnership with provinces and territories, set the mandatory standards for drinking water at these sites.

It is mandatory within the federal jurisdiction but voluntary elsewhere.

Provinces also use these guidelines in different ways, ranging from general guidance to legally required standards.

Although a sound process is in place to develop guidelines for allowable contaminants in drinking water, it takes too long to develop and update these guidelines.

A process that should take two to three years often takes four to eight.

A backlog of guidelines on water contaminants may take 10 years to work through. This is not helped by a 20 per cent budget cut between 2002 and 2005 affecting the Health Canada unit tasked with developing the guidelines.

Federal responsibility also includes passenger trains, aircraft, and cruise ships that travel between provinces or internationally.

Health Canada inspects water on cruise ships and passenger trains, but not on aircraft. This means that Canadian travellers do not know for sure that the water used for drinking and food preparation on aircraft is safe.

In my five years as Commissioner of the Environment and Sustainable Development, I have seen uneven performance by the federal government in creating and implementing a sustainable development approach.

In response to her statement, Chief Phil Fontaine concurred and stated that at least 100 reservations have had bad drinking water and were under regular boil water advisories. In October 2004, another outbreak of E. coli hit the Kashechewan reservation in Northern Ontario. The government rushed to remedy the situation, shipping 26,000 litres of bottled water. We all saw that on nightly television. The chief said this water was not enough to reopen schools or even bathe the ill.

The *Globe and Mail* of the time, quoted Dr. Trussler, Chief of Staff of the regional hospital in Moose Factory:

"Because of the problems of E. coli, the level of chlorine in the water, which is routinely extremely high, had to be jacked up to shock levels.

"This has aggravated skin diseases, which are endemic at Kashechewan and dries the skin further, so there is more itching and scratching, which just spreads things like scabies and impetigo."

He had examined children who, for more than a year, have had impetigo, a bacterial skin disease that can cause the formation of pustules and a thick yellow crust of skin, commonly on the face.

He had seen cases of gastroenteritis, probably due to E. coli, but this cannot be confirmed until testing is completed.

"We ran across a lady who reportedly had hepatitis A. This is a virus. We don't normally screen for that. When we do a water sample, we look at E. Coli and coliform counts, but we don't look for viruses," Dr. Trussler said.

No one challenged those statements.

He said that when he asked about protecting people from hepatitis A, Ontario offered to provide 100,000 doses of a vaccine against it, but the federal government turned it down, saying there was no hepatitis A problem in Northern Canada.

"This is absolute rubbish. There are 100 native communities in Canada currently under a boil-water advisory. Any time you are under a boil-water advisory, there's a probability you are going to run into hepatitis A sooner or later," Dr. Trussler said.

The Hon. the Speaker: Honourable senators, it is 6 o'clock. Pursuant to rule 13, I must leave the chair and come back at eight.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Your Honour, I believe there is agreement on both sides that we not see the clock.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Hon. Marcel Prud'homme: For how long? Is this to the end of the agenda, or just to finish listening to the Honourable Senator Grafstein?

Senator Grafstein: I have another two or three minutes.

Hon. Bill Rompkey: Your Honour, if I could, I understand Senator Callbeck wishes to speak, and then I understand there are also some pro forma motions from committees that should not take up a great deal of time. With any luck, we can be out of here by 6:30 or so.

Hon. Eymard G. Corbin: That being the case, could I ask the leadership if they would give consent to allow committees that have been scheduled to sit at 5 p.m. to sit now?

Senator Prud'homme: No.

Senator Corbin: Thank you very much, Senator Prud'homme.

Hon. Terry Stratton: This has nothing to do with committees sitting. It has everything to do with, if you look at this side, the people in the chamber. Does the honourable senator wish to take more of us out of the chamber? I am sorry, but I cannot agree with the honourable senator's request.

Senator Corbin: What a way to run a country!

The Hon. the Speaker: I take it that leave is granted that we not see the clock, so therefore we will continue until adjournment.

Senator Grafstein: I thank honourable senators for their patience. I will try to be brief and wind up.

Honourable senators, I urge you to support this amendment at second reading to allow a Senate committee to examine in detail the costs and benefits of this remedial measure as soon as possible. The health of tens of thousands of Canadian men, women and children depend on it.

Honourable senators, while we can transport clean drinking water systems to stricken areas of the world, we still have not solved the problem of bad drinking water across the regions of Canada, particularly in our First Nation reserves.

The last government made a slow start. It was not enough then, and it is not enough now.

What do we know? Water is part of our daily existence. We are admonished to drink eight glasses of water every day to be healthy. What do we really know about the water we drink?

Statistics Canada was mandated to collect health data under the Great Lakes Health Effects Program. This study was terminated in 2000 when funding was withdrawn.

Since that time, we have not had comprehensive health data on the costs of bad drinking water to the health of Canadians. Further, appropriate federal and provincial departments of health have been reluctant to undertake critical research to determine the precise relationship of water-borne carcinogens and other compounds that could increase the risk of cancer and other diseases to Canadians.

We do know that cancer is on the increase to the Canadian population at large. However, we have not been able to research precisely the connection. Water is certainly a place to start.

What do we really know about water treatment? The health impact of water soluble, including solvents such as benzene, xylene and toluene in drinking water plants is not fully researched. These are solvents in our existing water plants. Nor has the developmental impact on foetus of endocrine disruptors found the sources of drinking water that fall below safe health levels which, in turn, can result in increase risk of cancer and health risks and developmental risks to foetus.

Meanwhile, billions are being spent in our health system to alleviate the scourges of cancer and to determine cures. What about the cost to the health system and the families of developmentally challenged children who may have been damaged by their parents just from drinking bad water? We do not analyze how the prevention could save billions before our bodies are ravaged. We have the science. Let us put it to work.

I am indebted, honourable senators, to Sierra Legal Defence Fund and the Program on Water Issues at The Munk Centre for International Studies, Trinity College, for their previous assistance in clarifying some of the issues on this matter for me, and to many other experts who have passionately encouraged me to proceed.

Let us get on with the job, senators. Can we not agree to refer this matter to the Standing Senate Committee on Energy, Environment and Natural Resources without delay? They have done valuable work on this subject. They are prepared and they are ready. Please, let us move quickly to get this bill back to committee and then back to this chamber. I thank honourable senators for their attention.

On motion of Senator Comeau, debate adjourned.

• (1810)

HEALTH

MOTION URGING GOVERNMENT TO PROVIDE LONG-TERM END-OF-LIFE CARE— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carstairs, P.C., seconded by the Honourable Senator Joyal, P.C.:

That

Whereas the federal government has a leadership and coordination role, and a direct service delivery role for certain populations, with regards to palliative and end-of-life care in Canada;

And Whereas only 15 per cent of Canadians have access to integrated, palliative and end-of-life care;

Be It Resolved That the Senate of Canada urge the Government to provide long-term, sustainable funding for the further development of a Canadian Strategy on Palliative and End-of-Life Care which is cross-departmental and cross-jurisdictional, and meets the needs of Canadians; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.—(*Honourable Senator Comeau*)

Hon. Catherine S. Callbeck: Honourable senators, this motion stands in the name of Senator Comeau, however, he has agreed that I speak to it now and the adjournment will be in his name.

I am pleased to support the motion during this week, National Hospice and Palliative Care Week. I compliment Senator Carstairs for her ongoing commitment to improving palliative and end-of-life care for Canadians. The Senate has a history of producing high quality reports that have concrete effects on government policy. Palliative and end-of-life care is yet another example of an issue where the work of the Senate has had a large impact on public policy. Two Senate of Canada committee reports, the first in 1995 and the second in 2000, have served to emphasise the need for federal government action on palliative care. These reports focused national attention on the need for end-of-life care because they raised public awareness of the issue.

Senator Carstairs chaired the committee that authored the 2000 report and last June she tabled a third report entitled, *Still Not There*. The report recognizes the progress made on palliative and end-of-life care in Canada during the past 10 years and sets out 10 recommendations for the future. As noted in her report, Canadians are becoming increasingly aware of palliative care as an end-of-life care model for all ages, including children, and Canadians are demanding it. Polls show that in 1997, only 30 per cent of Canadians were familiar with palliative care. An Ipsos-Reid poll in December 2003 showed that 75 per cent of Canadians were familiar with palliative care, and 25 per cent of those surveyed reported that they or someone in their family had used hospice palliative care services.

Hospice palliative and end-of-life care has become more mainstream in my province. In fact, 2005 marked the twentieth anniversary of hospice palliative care in Prince Edward Island. In 1985, the Hospice Palliative Care Association, or Island Hospice Association as it was known then, was founded. Prince Edward Island designated eight beds for hospice palliative care at the Dr. Eric M. Found Health Centre and contracted a physician to provide hospice palliative care. In recent years, Prince Edward Island has made great strides toward improving the care of palliative patients and their families. Palliative care is currently provided at a number of levels through home care, acute care, long-term care, the Provincial Palliative Care Unit, the cancer treatment centre and through volunteer support offered by the Hospice Palliative Care Association and other community-based organizations.

Integrated palliative care programs have been developed by the province and implemented across the province with very good results. The program model is based on the standards adapted

from the Canadian Hospice Palliative Care Association Standards document. This program model is also the recipient of a Health Council of Canada's Best Practices Award. The Health Council of Canada has identified the Prince Edward Island Integrated Palliative Care Program as one of six "best practices" from across Canada. The coordinated point of referral to the program through the Regional Home Care Program and the shared assessment tool intended to limit overlap and duplication for the patient and their family were instrumental in making this provincial program a best practice for all of Canada.

Currently, there are approximately 250 trained hospice volunteers operating out of four chapters across Prince Edward Island, who provide thousands of hours of care and support each year to between 150 and 200 Island families. These volunteers support the tireless work of health care professionals to offer quality end-of-life care to Islanders.

Another initiative that has led to improved palliative care services for Prince Edward Island is the ongoing hospice palliative care education through the Support Worker Train the Trainer Program. This program was developed by the Hospice Palliative Care Association in conjunction with the Canadian Hospice Palliative Care Association. This hospice support worker training program has been integrated into the Holland College curriculum as a permanent part of the Resident Care Worker course and the Licensed Practical Nursing course.

In addition, the Hospice Palliative Care Association Bereavement Support program provides service to family members of hospice patients identified as having difficulty coping with their loss. The Hospice Palliative Care Association of P.E.I. offers volunteer training and instruction designed to help the volunteer support the grieving family member and/or friend on a one-to-one basis or in group sessions. A directory of bereavement resources has been created for those who need to access specialized grief counselling.

Although there are more than 430 hospice palliative care programs listed by the Canadian Hospice Palliative Care Association on its website, most of those working in the field still estimate that no more than 15 per cent of Canadians have access to hospice palliative care. For children, that figure falls to 3.3 per cent, according to a recent Canadian Institutes of Health Research project. These figures rise dramatically in Prince Edward Island where it is estimated that 50 per cent of patients who need hospice palliative care services are able to access these services. Figures show that in 90 per cent of these palliative care cases, the patients are suffering from cancer.

Although we have made significant advances in the past 20 years in providing palliative care in Prince Edward Island, there is a need for more growth. There is a need for us to use our resources wisely as a province and as a nation to ensure that Canadians who are dying have the quality of service they deserve.

Senator Carstairs' report, *Still Not There*, makes 10 new recommendations for improving palliative and end-of-life care, which can be grouped into five main themes: the need for a national strategy and for governments to make palliative and

end-of-life care programs a top priority in the restructuring of the health care system; the need for patient and caregiver support; the need for training and education for formal and informal health care providers; the need for public education and information; and the need for research.

These needs exist in P.E.I., just as they exist across Canada. As governments struggle to bring soaring health care costs under control, we must look to new and innovative solutions for the restructuring of our health care system. In Prince Edward Island, the coverage for medications, supplies, equipment and oxygen remains the responsibility of individuals if they are receiving their care at home. Research shows that patients prefer to remain at home and that the cost of providing care at home is less than in an acute care setting. However, due to the high cost of medications and equipment, patients are staying in the hospital to ensure that their medications and equipment are covered.

As family caregivers continue to assume a greater portion of the responsibility for health care and as more care is delivered in the home and in the community, programs such as the Compassionate Care Leave Benefit are essential. This benefit provides up to six weeks of paid leave under the Employment Insurance Program for a person to care for a terminally ill parent, spouse or child. There are still some issues surrounding access to that benefit so the federal government is evaluating it and, hopefully, will soon have an announcement.

Projects such as the Educating Future Physicians in Palliative and End-of-Life Care will educate new physicians, but in an integrated care team model such as we have in P.E.I., we also need to ensure that other members of the care team, such as nurses, social workers and pharmacists are educated in palliative and end-of-life care. As well, continuing education opportunities to train those who are already in practice are essential.

• (1820)

One of the biggest barriers to accessing palliative and end-of-life care services is a lack of public education and information on what services are available and how to access them. A national public information campaign that includes information on local services, advance-care directives and a compassionate care benefit would assist in increasing Canadians' access to services.

As palliative and end-of-life care have become more mainstream, the need for research into best practices, pain and symptom management, and socio-economic issues such as the physical, mental and economic impact on informal caregivers has also increased. In order to develop and disseminate best practices, ongoing research and the development of indicators for quality end-of-life care are required.

Honourable senators, because of the demographic pressure of the aging population, the demand by Canadians for integrated palliative and end-of-life care services is expected only to increase. According to Statistics Canada, in 2001, one in eight Canadians was aged 65 years or older. By 2026, one in five Canadians will be 65 years of age or older, accounting for 8 million Canadians. As baby boomers age, the senior citizen population is expected to reach 9.2 million in 2041 and constitute 23 per cent of the

population. Our annual number of deaths is approximately 220,000. As seniors account for 75 per cent of deaths each year, this number is expected to rise significantly over the next 40 years until the demographic wave of the baby boom has disappeared.

It is estimated that by 2020 there will be 40 per cent more deaths than in 2003. This will increase demand for more capacity and improved access to quality end-of-life care in every province and territory.

It has been said that palliative and end-of-life care is not about dying; it is about living well until the very end. As policy makers, we need to be ready to address the growing need for quality palliative and end-of-life care so that Canadians can live well until the end, free from pain, with sufficient supports.

In closing, I wish to say that I admire and respect the people who work in and are involved in palliative and end-of-life care. That is one of the most important jobs in the world because one of our most sacred goals as a society must be to ensure that people who are nearing the end of their lives can do so in comfort and dignity.

The Hon. the Speaker: Is it agreed, honourable senators, that the adjournment of the debate remain in the name of Senator Comeau?

Hon. Senators: Agreed.

On motion of Senator Comeau, debate adjourned.

ABORIGINAL PEOPLES

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Gerry St. Germain, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Aboriginal Peoples have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Gerry St. Germain, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Aboriginal Peoples be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

[English]

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Consiglio Di Nino, pursuant to notice of April 25, 2006, moved:

That the Standing Committee on Rules, Procedures and the Rights of Parliament have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Consiglio Di Nino, pursuant to notice of April 25, 2006, moved:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

[Translation]

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Lise Bacon, pursuant to notice of April 27, 2006, moved:

That the Standing Senate Committee on Transport and Communications have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Lise Bacon, pursuant to notice of April 27, 2006, moved:

That the Standing Senate Committee on Transport and Communications be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

BANKING, TRADE AND COMMERCE

COMMITTEE AUTHORIZED TO STUDY PRESENT STATE OF DOMESTIC AND INTERNATIONAL FINANCIAL SYSTEM

Hon. Jeremiah S. Grafstein, pursuant to notice of April 27, 2006, moved:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon the present state of the domestic and international financial system; and

That the Committee submit its final report no later than December 31, 2007.

Hon. Bill Rompkey: Senator Grafstein might want to give us a brief explanation of his motion.

Senator Grafstein: This motion is the normal form. It allows the Senate committee to hear evidence from time to time. For example, tomorrow we have asked the Governor of the Bank of Canada to attend upon us, which he will in his normal practice, and we welcome that. The motion allows the committee flexibility to deal with general questions as opposed to specific questions. We have done this in the past.

Hon. Terry Stratton: I hope that the committee will not travel the world on the basis of this motion.

Senator Grafstein: No, that is not the intent.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Jeremiah S. Grafstein, pursuant to notice of April 27, 2006, moved:

That the Standing Committee on Banking, Trade and Commerce have power to engage services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED
TO PERMIT ELECTRONIC COVERAGE

Hon. Jeremiah S. Grafstein, pursuant to notice of April 27, 2006, moved:

That the Standing Committee on Banking, Trade and Commerce be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

COMMITTEE AUTHORIZED
TO CONTINUE STUDY ON CONSUMER ISSUES
ARISING IN FINANCIAL SERVICES SECTOR

Hon. Jeremiah S. Grafstein, pursuant to notice of April 27, 2006, moved:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report on consumer issues arising in the financial services sector. In particular, the Committee shall be authorized to examine:

- the impact of federal legislation and initiatives designed to protect consumers within the financial services sector;
- the role, corporate governance structure and effectiveness of agencies (including supervisory/regulatory and self-regulating), ombudspersons and others who play a role with respect to consumer protection and the supervision of the financial services sector;
- consumer credit rates and reporting agencies; and
- other related issues;

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament and any other relevant Parliamentary papers and evidence on the said subject be referred to the Committee; and

That the Committee submit its final report no later than June 30, 2006, and that the Committee retain until July 31, 2006 all powers necessary to publicize its findings.

Hon. Gerry St. Germain: Honourable senators, I have a question of Senator Grafstein. This reference appears similar to a private Senate bill that was presented by Senator Plamondon.

Will the committee be investigating usurious interest rates in its study?

• (1830)

Senator Grafstein: We have already completed our studies. Senator Plamondon was on the committee. We have a draft report. We require the committee to review the draft report and the evidence, to submit it.

Senator Plamondon's bill was separate and distinct from this report. Some of the general policy issues may be in this report, but that is subject to the committee reviewing that. Essentially, this report is really a completion of a study we had already completed. The draft report is available. It has to be vetted by the committee and hopefully approved in some amended form.

The Hon. the Speaker: Is there any further debate? Senator Comeau?

Hon. Gerald J. Comeau (Deputy Leader of the Government): My question is related to this order of reference, but I note that there are two other orders of reference requested by the committee. I wanted to find out whether any consideration had been given, once these orders of reference make it to the Internal Economy Committee, as to whether there will be a whole bunch of budgets that Internal Economy will have to look at. There are a number of orders of reference here, and we want to find out whether there will be all kinds of budgets being requested.

Senator Grafstein: I do not believe so. If you take a look, honourable senators, at the budgets of the committee since I have been the chair, you will understand that our committee has been the most frugal of any of the committees, based on the impact we have made in terms of our reports. We are not spenders. We have respect for the taxpayers' dollars.

We will not expend the Senate's money excessively; and there is nothing hidden here. This is the normal course and is nothing for any senator to be concerned with. If senators are concerned, they can address that when we present our budget.

[Translation]

Hon. Marcel Prud'homme: Honourable senators, I want to express my regret, as Senator Plamondon will be leaving us on September 21. She is a great defender of Quebec's consumers and she was not asked to sit on the Committee on Banking, Trade and Commerce. The selection committee, in its wisdom, thought it best to ignore her clearly expressed desire to sit on that committee to try to have at least one last chance.

[English]

At this time, I would like to make an appeal to either side, if perhaps something could be done to allow her to at least have a last chance to talk about the things that are so important for her.

I would like to bring to your attention to the following, that she intends to be extremely active when she retires. I can tell you, knowing her, as you all do, that it is something that she will remember, the fact that she could not sit on the committee at least until September 21.

I want to be on record.

[Translation]

Pardon me madam, if we need to sit in the evening then I am absolutely prepared to do so. I have no objection. I can sit night and day, all week long. If that bothers anyone here then they need only step down.

[English]

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED TO CONTINUE STUDY
ON ISSUES DEALING WITH DEMOGRAPHIC CHANGE

Hon. Jeremiah S. Grafstein, pursuant to notice of April 27, 2006, moved:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report on issues dealing with the demographic change that will occur in Canada within the next two decades; the implications of that change for Canada's economy, labour market and retirement income system; and federal actions that could be taken to ensure that any implications of future demographic change are, to the extent possible, properly addressed;

That the papers and evidence received and taken on the subject during the Thirty-eighth Parliament and any other relevant Parliamentary papers and evidence on the said subject be referred to the Committee; and

That the Committee submit its final report no later than June 30, 2006.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED
TO CONTINUE STUDY ON ISSUES DEALING
WITH INTERPROVINCIAL BARRIERS TO TRADE

Hon. Jeremiah S. Grafstein, pursuant to notice of April 27, 2006, moved:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report on issues dealing with interprovincial barriers to trade, in particular:

- the interprovincial trade barriers that exist;

- the extent to which interprovincial trade barriers are limiting the growth and profitability of the affected sectors as well as the ability of businesses in affected provinces, jointly and with relevant U.S. states, to form the economic regions that will enhance prosperity; and

- measures that could be taken by the federal and provincials governments to facilitate the elimination of such interprovincial trade barriers in order to enhance trade and develop a national economy; and

That the Committee submit its final report no later than October 31, 2006.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED
TO PERMIT ELECTRONIC COVERAGE

Hon. Bill Rompkey, pursuant to notice of April 27, 2006, moved:

That the Standing Senate Committee on Fisheries and Oceans be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Bill Rompkey, pursuant to notice of April 27, 2006, moved:

That the Standing Senate Committee on Fisheries and Oceans have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

The Senate adjourned until Wednesday, May 3, 2006, at 1:30 p.m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

The Honourable Noël A Kinsella

THE LEADER OF THE GOVERNMENT

The Honourable Marjory LeBreton, P.C.

THE LEADER OF THE OPPOSITION

The Honourable Daniel Hays

OFFICERS OF THE SENATE**CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Paul Bélisle

DEPUTY CLERK, PRINCIPAL CLERK, LEGISLATIVE SERVICES

Gary O'Brien

LAW CLERK AND PARLIAMENTARY COUNSEL

Mark Audcent

USHER OF THE BLACK ROD

Terrance J. Christopher

THE MINISTRY

(In order of precedence)

(May 2, 2006)

The Right Hon. Stephen Joseph Harper	Prime Minister
The Hon. Robert Douglas Nicholson	Leader of the Government in the House of Commons and Minister for Democratic Reform
The Hon. David Emerson	Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics
The Hon. Jean-Pierre Blackburn	Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec
The Hon. Gregory Francis Thompson	Minister of Veterans Affairs
The Hon. Marjory LeBreton	Leader of the Government in the Senate
The Hon. Monte Solberg	Minister of Citizenship and Immigration
The Hon. Chuck Strahl	Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board
The Hon. Gary Lunn	Minister of Natural Resources
The Hon. Peter Gordon MacKay	Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency
The Hon. Loyola Hearn	Minister of Fisheries and Oceans
The Hon. Stockwell Day	Minister of Public Safety
The Hon. Carol Skelton	Minister of National Revenue and Minister of Western Economic Diversification
The Hon. Vic Toews	Minister of Justice and Attorney General of Canada
The Hon. Rona Ambrose	Minister of the Environment
The Hon. Michael D. Chong	President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister for Sport
The Hon. Diane Finley	Minister of Human Resources and Social Development
The Hon. Gordon O'Connor	Minister of National Defence
The Hon. Beverley J. Oda	Minister of Canadian Heritage and Status of Women
The Hon. Jim Prentice	Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians
The Hon. John Baird	President of the Treasury Board
The Maxime Bernier	Minister of Industry
The Hon. Lawrence Cannon	Minister of Transport, Infrastructure and Communities
The Hon. Tony Clement	Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario
The Hon. James Michael Flaherty	Minister of Finance
The Hon. Josée Verner	Minister of International Cooperation and Minister for La Francophonie and Official Languages
The Hon. Michael Fortier	Minister of Public Works and Government Services

SENATORS OF CANADA

ACCORDING TO SENIORITY

(May 2, 2006)

Senator	Designation	Post Office Address
THE HONOURABLE		
Jack Austin, P.C.	Vancouver South	Vancouver, B.C.
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
Michael Kirby	South Shore	Halifax, N.S.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuuaq, Que.
Daniel Hays	Calgary	Calgary, Alta.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Mira Spivak	Manitoba	Winnipeg, Man.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	Nova Scotia	Halifax, N.S.
Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth, N.S.
Janis G. Johnson	Winnipeg-Interlake	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Victoria Beach, Man.
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.

Senator	Designation	Post Office Address
Wilfred P. Moore	Stanhope St./Bluenose	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Ross Fitzpatrick	Okanagan-Similkameen	Kelowna, B.C.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
Ione Christensen	Yukon	Whitehorse, Yukon
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Jac Harb	Ontario	Ottawa, Ont.
Madeleine Plamondon	The Laurentides	Shawinigan, Que.
Marilyn Trenholme Counsell	New Brunswick	Sackville, N.B.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Robert W. Peterson	Saskatchewan	Regina, Sask.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Romeo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A.A. Zimmer	Manitoba	Winnipeg, Man.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Yoïne Goldstein	Rigaud	Montreal, Que.
Francis Fox, P.C.	Victoria	Montreal, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Michael Fortier, P.C.	Rougemont	Town of Mount Royal, Que.

SENATORS OF CANADA

ALPHABETICAL LIST

(May 2, 2006)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Liberal
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Angus, W. David	Alma	Montreal, Que.	Conservative
Atkins, Norman K.	Markham	Toronto, Ont.	Progressive Conservative
Austin, Jack, P.C.	Vancouver South	Vancouver, B.C.	Liberal
Bacon, Lise	De la Durantaye	Laval, Que.	Liberal
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Banks, Tommy	Alberta	Edmonton, Alta.	Liberal
Biron, Michel	Mille Isles	Nicolet, Que.	Liberal
Bryden, John G.	New Brunswick	Bayfield, N.B.	Liberal
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Liberal
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Liberal
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.	Conservative
Carstairs, Sharon, P.C.	Manitoba	Victoria Beach, Man.	Liberal
Champagne, Andr��e, P.C.	Grandville	Saint-Hyacinthe, Que.	Conservative
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Liberal
Christensen, Ione	Yukon	Whitehorse, Yukon	Liberal
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	Conservative
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	Conservative
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	Conservative
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Liberal
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cowan, James S.	Nova Scotia	Halifax, N.S.	Liberal
Dallaire, Rom��o Antonius	Gulf	Sainte-Foy, Que.	Liberal
Dawson, Dennis	Lauson	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
De Ban��, Pierre, P.C.	De la Valli��re	Montreal, Que.	Liberal
Di Nino, Consiglio	Ontario	Downsview, Ont.	Conservative
Downe, Percy	Charlottetown	Charlottetown, P.E.I.	Liberal
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	New Democrat
Eggleton, Art, P.C.	Ontario	Toronto, Ont.	Liberal
Eyton, J. Trevor	Ontario	Caledon, Ont.	Conservative
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Liberal
Fitzpatrick, Ross	Okanagan-Similkameen	Kelowna, B.C.	Liberal
Forrestall, J. Michael	Dartmouth and the Eastern Shore	Dartmouth, N.S.	Conservative
Fortier, Michael, P.C.	Rougemont	Town of Mount Royal, Que.	Conservative
Fox, Francis, P.C.	Victoria	Montreal, Que.	Liberal
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Gill, Aur��lien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Liberal
Goldstein, Yoine	Rigaud	Montreal, Que.	Liberal
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.	Liberal
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	Conservative
Harb, Mac	Ontario	Ottawa, Ont.	Liberal
Hays, Daniel	Calgary	Calgary, Alta.	Liberal
Hervieux-Payette, C��line, P.C.	Bedford	Montreal, Que.	Liberal
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	Conservative
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	Conservative
Kinsella, Noël A., <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.	Conservative
Kirby, Michael	South Shore	Halifax, N.S.	Liberal
Lapointe, Jean	Saurel	Magog, Que.	Liberal
Lavigne, Raymond	Montarville	Verdun, Que.	Liberal
LeBreton, Marjory	Ontario	Manotick, Ont.	Conservative
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Liberal
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
Mahovlich, Francis William	Toronto	Toronto, Ont.	Liberal
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Liberal
McCoy, Elaine	Alberta	Calgary, Alta.	Progressive Conservative
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	Conservative
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Merchant, Pana	Saskatchewan	Regina, Sask.	Liberal
Milne, Lorna	Peel County	Brampton, Ont.	Liberal
Mitchell, Grant	Alberta	Edmonton, Alta.	Liberal
Moore, Wilfred P.	Stanhope St./Bluenose	Chester, N.S.	Liberal
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	Progressive Conservative
Nancy Ruth	Cluny	Toronto, Ont.	Conservative
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	Conservative
Oliver, Donald H.	Nova Scotia	Halifax, N.S.	Conservative
Pépin, Lucie	Shawinigan	Montreal, Que.	Liberal
Peterson, Robert W.	Saskatchewan	Regina, Sask.	Liberal
Phalen, Gerard A.	Nova Scotia	Glace Bay, N.S.	Liberal
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Independent
Plamondon, Madeleine	The Laurentides	Shawinigan, Que.	Independent
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Liberal
Poy, Vivienne	Toronto	Toronto, Ont.	Liberal
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Independent
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Liberal
Rivest, Jean-Claude	Stadacona	Quebec, Que.	Independent
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Liberal
Rompkey, William H., P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.	Liberal
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	Conservative
Segal, Hugh	Kingston-Frontenac-Leeds	Kingston, Ont.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Liberal
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Liberal
Spivak, Mira	Manitoba	Winnipeg, Man.	Independent
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Liberal
Stratton, Terrance R.	Red River	St. Norbert, Man.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Trenholme Counsell, Marilyn	New Brunswick	Sackville, N.B.	Liberal
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Liberal
Zimmer, Rod A.A.	Manitoba	Winnipeg, Man.	Liberal

SENATORS OF CANADA
BY PROVINCE AND TERRITORY
(May 2, 2006)

ONTARIO—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Lowell Murray, P.C.	Pakenham	Ottawa
2 Peter Alan Stollery	Bloor and Yonge	Toronto
3 Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa
4 Jeremiah S. Grafstein	Metro Toronto	Toronto
5 Anne C. Cools	Toronto Centre-York	Toronto
6 Colin Kenny	Rideau	Ottawa
7 Norman K. Atkins	Markham	Toronto
8 Consiglio Di Nino	Ontario	Downsview
9 John Trevor Eyton	Ontario	Caledon
10 Wilbert Joseph Keon	Ottawa	Ottawa
11 Michael Arthur Meighen	St. Marys	Toronto
12 Marjory LeBreton	Ontario	Manotick
13 Lorna Milne	Peel County	Brampton
14 Marie-P. Poulin	Northern Ontario	Ottawa
15 Francis William Mahovlich	Toronto	Toronto
16 Vivienne Poy	Toronto	Toronto
17 David P. Smith, P.C.	Cobourg	Toronto
18 Mac Harb	Ontario	Ottawa
19 Jim Munson	Ottawa/Rideau Canal	Ottawa
20 Art Eggleton, P.C.	Ontario	Toronto
21 Nancy Ruth	Cluny	Toronto
22 Hugh Segal	Kingston-Frontenac-Leeds	Kingston
23
24

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Charlie Watt	Inkerman	Kuujuaq
2 Pierre De Bané, P.C.	De la Vallière	Montreal
3 Jean-Claude Rivest	Stadacona	Quebec
4 Marcel Prud'homme, P.C.	La Salle	Montreal
5 W. David Angus	Alma	Montreal
6 Pierre Claude Nolin	De Salaberry	Quebec
7 Lise Bacon	De la Durantaye	Laval
8 Céline Hervieux-Payette, P.C.	Bedford	Montreal
9 Lucie Pépin	Shawinigan	Montreal
10 Serge Joyal, P.C.	Kennebec	Montreal
11 Joan Thorne Fraser	De Lorimier	Montreal
12 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue
13 Jean Lapointe	Saurel	Magog
14 Michel Biron	Milles Isles	Nicolet
15 Raymond Lavigne	Montarville	Verdun
16 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
17 Madeleine Plamondon	The Laurentides	Shawinigan
18 Roméo Antonius Dallaire	Gulf	Sainte-Foy
19 Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe
20 Dennis Dawson	Lauzon	Ste-Foy
21 Yoine Goldstein	Rigaud	Montreal
22 Francis Fox, P.C.	Victoria	Montreal
23 Michael Fortier, P.C.	Rougemont	Town of Mount Royal
24		

SENATORS BY PROVINCE-MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Michael Kirby	South Shore	Halifax
2 Gerald J. Comeau	Nova Scotia	Saulnierville
3 Donald H. Oliver	Nova Scotia	Halifax
4 J. Michael Forrestall	Dartmouth and the Eastern Shore	Dartmouth
5 Wilfred P. Moore	Stanhope St./Bluenose	Chester
6 Jane Cordy	Nova Scotia	Dartmouth
7 Gerard A. Phalen	Nova Scotia	Glace Bay
8 Terry M. Mercer	Northend Halifax	Caribou River
9 James S. Cowan	Nova Scotia	Halifax
10		

NEW BRUNSWICK—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eymard Georges Corbin	Grand-Sault	Grand-Sault
2 Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton
3 John G. Bryden	New Brunswick	Bayfield
4 Rose-Marie Losier-Cool	Tracadie	Bathurst
5 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
6 Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
7 Pierrette Ringuette	New Brunswick	Edmundston
8 Marilyn Trenholme Counsell	New Brunswick	Sackville
9 Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations
10		

PRINCE EDWARD ISLAND—4

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
2 Elizabeth M. Hubley	Prince Edward Island	Kensington
3 Percy Downe	Charlottetown	Charlottetown
4		

SENATORS BY PROVINCE-WESTERN DIVISION

MANITOBA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Mira Spivak	Manitoba	Winnipeg
2 Janis G. Johnson	Winnipeg-Interlake	Gimli
3 Terrance R. Stratton	Red River	St. Norbert
4 Sharon Carstairs, P.C.	Manitoba	Victoria Beach
5 Maria Chaput	Manitoba	Sainte-Anne
6 Rod A.A. Zimmer	Manitoba	Winnipeg

BRITISH COLUMBIA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Jack Austin, P.C.	Vancouver South	Vancouver
2 Pat Carney, P.C.	British Columbia	Vancouver
3 Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
4 Ross Fitzpatrick	Okanagan-Similkameen	Kelowna
5 Mobina S.B. Jaffer	British Columbia	North Vancouver
6 Larry W. Campbell	British Columbia	Vancouver

SASKATCHEWAN—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 A. Raynell Andreychuk	Saskatchewan	Regina
2 Leonard J. Gustafson	Saskatchewan	Macoun
3 David Tkachuk	Saskatchewan	Saskatoon
4 Pana Merchant	Saskatchewan	Regina
5 Robert W. Peterson	Saskatchewan	Regina
6 Lillian Eva Dyck	Saskatchewan	Saskatoon

ALBERTA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Daniel Hays	Calgary	Calgary
2 Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
3 Tommy Banks	Alberta	Edmonton
4 Claudette Tardif	Alberta	Edmonton
5 Grant Mitchell	Alberta	Edmonton
6 Elaine McCoy	Alberta	Calgary

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Ethel Cochrane	Newfoundland and Labrador	Port-au-Port
2 William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador
3 Joan Cook	Newfoundland and Labrador	St. John's
4 George Furey	Newfoundland and Labrador	St. John's
5 George S. Baker, P.C.	Newfoundland and Labrador	Gander
6		

NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Nick G. Sibbeston	Northwest Territories	Fort Simpson

NUNAVUT—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Willie Adams	Nunavut	Rankin Inlet

YUKON—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Ione Christensen	Yukon	Whitehorse

ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES

(As of May 2, 2006)

*Ex Officio Member

ABORIGINAL PEOPLES

Chair: Honourable Senator St. Germain

Deputy Chair: Honourable Senator Sibbeston

Honourable Senators:

Campbell,	Gill,	* LeBreton,	Sibbeston,
Dyck,	Gustafson,	(or Comeau)	St. Germain,
* Hays,	Hubley,	Lovelace Nicholas,	Watt,
(or Fraser)		Peterson,	Zimmer.
		Segal,	

Original Members as nominated by the Committee of Selection

*Campbell, Dyck, *Hays (or Fraser), Gill, Gustafson, Hubley, *LeBreton, (or Comeau), Lovelace Nicholas, Peterson, Segal, Sibbeston, St. Germain, Watt, Zimmer*

AGRICULTURE AND FORESTRY

Chair: Honourable Senator Fairbairn

Deputy Chair: Honourable Senator Gustafson

Honourable Senators:

Callbeck,	* Hays,	* LeBreton,	Oliver,
Christensen,	(or Fraser)	(or Comeau)	Pépin,
Fairbairn,	Gustafson	Mahovlich	Peterson,
		Mercer,	Segal,
		Mitchell,	Tkachuk.

Original Members as nominated by the Committee of Selection

*Callbeck, Christensen, Fairbairn, *Hays (or Fraser), Gustafson, *LeBreton, (or Comeau), Mahovlich, Mercer, Mitchell, Oliver, Pépin, Peterson, Segal, Tkachuk.*

BANKING, TRADE AND COMMERCE

Chair: Honourable Senator Grafstein

Deputy Chair: Honourable Senator Angus

Honourable Senators:

Angus,	* Hays,	Harb,	Massicotte,
Banks,	(or Fraser)	Hervieux-Payette,	Meighen,
Biron,	Goldstein,	* LeBreton,	Moore,
Eyton,	Grafstein,	(or Comeau)	Tkachuk.

Original Members as nominated by the Committee of Selection

*Angus, Biron, Eyton, Fitzpatrick, *Hays (or Fraser), Goldstein, Grafstein, Harb, Hervieux-Payette, *LeBreton, (or Comeau), Massicotte, Meighen, Moore, Tkachuk.*

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

Chair: Honourable Senator Banks

Deputy Chair: Honourable Senator Cochrane

Honourable Senators:

Angus,	Fox,	Kenny,	Milne,
Banks,	* Hays,	Lavigne,	Sibbeston,
Carney,	(or Fraser)	* LeBreton,	Spivak,
Cochrane,	Hervieux-Payette,	(or Comeau)	Tardif.

Original Members as nominated by the Committee of Selection

*Angus, Banks, Carney, Cochrane, Fox, *Hays (or Fraser), Hervieux-Payette, Lavigne, *LeBreton, (or Comeau), Milne, Peterson, Sibbeston, Spivak, Tardif.*

FISHERIES AND OCEANS

Chair: Honourable: Senator Rompkey

Deputy Chair: Honourable Senator Johnson

Honourable Senators:

Adams,	Cowan,	* Gill,	* LeBreton,
Baker,	Forrestall,	Hubley,	(or Comeau)
Campbell,	* Hays,	Johnson,	Meighen,
Comeau,	(or Fraser)		Rompkey,
			Watt.

Original Members as nominated by the Committee of Selection

*Adams, Baker, Campbell, Comeau, Cowan, Forrestall, *Hays (or Fraser), Gill, Hubley, Johnson, *LeBreton, (or Comeau), Meighen, Rompkey, Watt.*

FOREIGN AFFAIRS

Chair: Honourable Senator

Deputy Chair: Honourable Senator

Honourable Senators:

Andreychuk,	Di Nino,	* LeBreton,	Segal,
Corbin,	* Hays,	(or Comeau)	St. Germain,
Dawson,	(or Fraser)	Mahovlich,	Smith,
De Bané,		Mercer,	Stollery.
		Merchant,	

Original Members as nominated by the Committee of Selection

*Andreychuk, Corbin, Dawson, De Bané, Di Nino, Downe, *Hays (or Fraser), *LeBreton, (or Comeau), Mahovlich, Merchant, Segal, Smith, St. Germain, Stollery.*

HUMAN RIGHTS

Chair: Honourable Senator Andreychuk

Deputy Chair: Honourable Senator Carstairs

Honourable Senators:

Andreychuk,	* Hays,	* LeBreton,	Nancy Ruth,
Carstairs,	(or Fraser)	(or Comeau)	Pépin,
Dallaire,	Kinsella,	Lovelace Nicholas,	Poy.
		Munson,	

Original Members as nominated by the Committee of Selection

*Andreychuk, Carstairs, Dallaire, *Hays (or Fraser), Kinsella,
LeBreton, (or Comeau), Lovelace Nicholas, Munson, Nancy Ruth, Pépin, Poy.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

Chair: Honourable Senator Furey

Deputy Chair: Honourable Senator Nolin

Honourable Senators:

Chaput,	Furey,	Kenny,	Nolin,
Comeau,	* Hays,	Keon,	Poulin,
Cook,	(or Fraser)	* LeBreton,	Smith,
Day,	Goldstein,	(or Comeau)	Stratton.
Di Nino,	Jaffer,	Massicotte,	

Original Members as nominated by the Committee of Selection

*Banks, Cook, Day, De Bané, Di Nino, Furey, *Hays, P.C (or Fraser), Jaffer, Kenny, Keon,
LeBreton, (or Comeau), Lynch-Staunton, Massicotte, Nolin, Poulin, Robichaud, Stratton.

LEGAL AND CONSTITUTIONAL AFFAIRS

Chair: Honourable Senator Oliver

Deputy Chair: Honourable Senator Milne

Honourable Senators:

Andreychuk	Furey,	Joyal,	Nolin,
Baker,	* Hays,	* LeBreton,	Oliver,
Bryden,	(or Fraser)	(or Comeau)	Ringuette,
Cools,	Jaffer,	Milne,	Rivest.

Original Members as nominated by the Committee of Selection

*Andreychuk, Baker, Bryden, Cools, Furey, *Hays (or Fraser), Jaffer, Joyal,
LeBreton, (or Comeau), Milne, Nolin, Oliver, Ringuette, Rivest.

LIBRARY OF PARLIAMENT (Joint)

Joint Chair: Honourable Senator

Honourable Senators:

Johnson,	Oliver,	Poy,	Trenholme Counsell.
Lapointe,			

Original Members agreed to by Motion of the Senate
Johnson, Lapointe, Oliver, Poy, Trenholme Counsell.

NATIONAL FINANCE

Chair: Honourable Senator Day

Deputy Chair: Honourable Senator Cools

Honourable Senators:

Biron,	Forrestall,	* LeBreton,	Nancy Ruth,
Cools,	Fox,	(or Comeau)	Ringuette,
Cowan,	* Hays,	Mitchell,	Rompkey.
Day,	(or Fraser)	Murray,	
Eggleton,			

Original Members as nominated by the Committee of Selection
*Biron, Cools, Cowan, Day, Eggleton, Fox, *Hays (or Fraser),*
**LeBreton, (or Comeau), Mitchell, Murray, Nancy Ruth, Ringuette, Rompkey, Stratton.*

NATIONAL SECURITY AND DEFENCE

Chair: Honourable Senator Kenny

Deputy Chair: Honourable Senator Forrestall

Honourable Senators:

Atkins,	Day,	Kenny,	Meighen,
Banks,	Forrestall,	* LeBreton,	Moore,
Campbell,	* Hays,	(or Comeau)	Poulin.
	(or Fraser)		

Original Members as nominated by the Committee of Selection
*Atkins, Banks, Campbell, Day, Forrestall, *Hays (or Fraser), Kenny,*
**LeBreton, (or Comeau), Meighen, Poulin, Watt.*

VETERANS AFFAIRS

(Subcommittee of National Security and Defence)

Chair: Honourable Senator

Deputy Chair: Honourable Senator

Honourable Senators:

Atkins,	* Hays,	* LeBreton,	Meighen.
Day,	(or Fraser)	(or Comeau)	
Forrestall,	Kenny,		

OFFICIAL LANGUAGES

Chair: Honourable Senator Chaput

Deputy Chair: Honourable Senator Champagne

Honourable Senators:

Champagne,	* Hays,	* LeBreton,	Plamondon,
Chaput,	(or Fraser)	(or Comeau)	Robichaud,
Comeau,	Jaffer,	Losier-Cool,	Tardif,
			Trenholme Counsell.

Original Members as nominated by the Committee of Selection

*Champagne, Chaput, Comeau, *Hays (or Fraser), Jaffer, *LeBreton, (or Comeau),
Losier-Cool, Plamondon, Robichaud, Tardif, Trenholme Counsell.*

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

Chair: Honourable Senator Di Nino

Deputy Chair: Honourable Senator Smith

Honourable Senators:

Andreychuk,	Cordy,	* LeBreton,	Robichaud,
Bryden,	Di Nino,	(or Comeau)	Smith,
Carstairs,	* Hays,	Losier-Cool,	Stratton,
Cools,	(or Fraser)	McCoy,	Tardif.
Corbin,	Joyal,	Mitchell,	

Original Members as nominated by the Committee of Selection

*Andreychuk, Bryden, Carstairs, Cools, Corbin, Cordy, Di Nino, *Hays (or Fraser), Joyal,
*LeBreton, (or Comeau), Losier-Cool, McCoy, Mitchell, Robichaud,
Smith, Stratton, Tardif.*

SCRUTINY OF REGULATIONS (Joint)

Joint Chair: Honourable

Vice-Chair:

Honourable Senators:

Biron,	De Bané,	Harb,	Nolin.
Bryden,	Eyton,	Moore,	St. Germain.

Original Members as agreed to by Motion of the Senate

Biron, Bryden, De Bané, Eyton, Harb, Moore, Nolin, St. Germain,

SELECTION

Chair: Honourable Senator Stratton

Deputy Chair: Honourable Senator Cook

Honourable Senators:

Austin,	Cook,	* LeBreton,	Stratton,
Bacon,	Fairbairn,	(or Comeau)	Tkachuk.
Carstairs,	* Hays,	Oliver,	
Champagne,	(or Fraser)		

Original Members agreed to by Motion of the Senate

*Austin, Bacon, Carstairs, Champagne, Cook, Fairbairn,
*Hays (or Fraser), *LeBreton, (or Comeau) Oliver, Stratton, Tkachuk.*

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

Chair: Honourable Senator Kirby

Deputy Chair: Honourable Senator Keon

Honourable Senators:

Callbeck,	Cordy,	* Hays,	* LeBreton,
Champagne,	Eggleton,	(or Fraser)	(or Comeau)
Cochrane,	Fairbairn,	Keon,	Pépin,
Cook,	Forrestall,	Kirby,	Trenholme Counsell.

Original Members as nominated by the Committee of Selection

*Callbeck, Champagne, Cochrane, Cook, Cordy, Eggleton, Fairbairn, Forrestall,
*Hays (or Fraser), Keon, Kirby, *LeBreton, (or Comeau), Pépin, Trenholme Counsell.*

TRANSPORT AND COMMUNICATIONS**Chair: Honourable Senator Bacon****Deputy Chair: Honourable Senator Tkachuk****Honourable Senators:**

Adams,	Eyton,	* LeBreton,	Munson,
Bacon,	* Hays,	(or Comeau)	Phalen,
Carney,	(or Fraser)	Mercer,	Tkachuk,
Dawson,	Johnson,	Merchant,	Zimmer.

Original Members as nominated by the Committee of Selection

*Adams, Bacon, Carney, Dawson, Eyton, *Hays (or Fraser), Johnson,
LeBreton, (or Comeau), Mercer, Merchant, Munson, Phalen, Tkachuk, Zimmer.

THE SPECIAL SENATE COMMITTEE ON THE ANTI-TERRORISM ACT**Chair: Honourable Senator****Deputy Chair: Honourable Senator****Honourable Senators:**

Andreychuk,	* Hays,	Joyal,	Nolin,
Day,	(or Fraser)	Kinsella,	Smith.
Fairbairn,	Jaffer,	* LeBreton,	
Fraser,		(or Comeau)	

Original Members as nominated by the Committee of Selection

*Andreychuk, Day, Fairbairn, Fraser, Hays (or Fraser), Jaffer, Joyal,
Kinsella, *LeBreton, (or Comeau), Nolin, Smith,*

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CANADA

Debates of the Senate

1st SESSION

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39th PARLIAMENT

•

VOLUME 143

•

NUMBER 9

OFFICIAL REPORT
(HANSARD)

Wednesday, May 3, 2006

THE HONOURABLE NOËL A. KINSELLA
SPEAKER



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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Wednesday, May 3, 2006

The Senate met at 1:30 p.m., the Speaker in the Chair.

Prayers.

SENATORS' STATEMENTS

ADULT LITERACY SKILLS

Hon. Ethel Cochrane: Honourable senators, last fall former Montreal Canadiens coach Jacques Demers publicly admitted that he has struggled with low literacy skills throughout his life. He said, "For all those years, I always had at the back of my mind that I could be fired; I could be embarrassed; I could be humiliated."

Over the years, he developed strategies to get through daily challenges. Whenever he was asked to read something, he would pat his chest pocket and then say he forgot his glasses and just could not read without them. To sign autographs he learned to write the words "best wishes" and "to my friend."

Throughout the many professional highs Mr. Demers experienced — leading his hometown Montreal Canadiens to the Stanley Cup; coaching five NHL teams; and winning prestigious Coach of the Year awards — he was burdened by his secret. He said, "I thought if anyone found out I would be finished."

While Mr. Demers felt ashamed and alone for many years, the reality is that there are millions of Canadians who share his experience. The latest international Adult Literacy and Skills Survey, which was released last fall, reveals that four in 10 Canadians do not have the literacy skills that experts say are necessary to meet the demands of today's information-based society.

Undoubtedly, each of us knows someone who fits into this 40 per cent category. Recently, for example, I was told the story of a man who took the bus to work every day with a newspaper opened before him. When he arrived, he would drop the paper on a table in the staff room and say to his colleagues, "Help yourself to the paper. I am finished with it." He rose up the ranks at the factory but could not accept a big promotion when he told his boss he could not read or write. His co-workers were flabbergasted.

Then there are stories like the woman from Prince Edward Island who also struggled with low literacy. When she was a middle-aged woman with a family of her own, she decided to go back to school. That was just the stepping stone that she needed to create a new life for herself. She now owns and operates a home for senior citizens in her community of Charlottetown.

Honourable senators, I commend Mr. Demers and others for bravely stepping forward and shining the light on literacy issues. I am in awe of the courage of these Canadians, who recognize the

importance of literacy and choose to develop their literacy skills in their adult years. I believe their experiences and struggles can be powerful tools in encouraging other Canadians.

• (1340)

We need to develop and foster a culture of long learning in this country and to promote opportunities for adult learners. Literacy skills are an absolute necessity in life, even more so today than in the past. I encourage all honourable senators to actively promote literacy in their own lives and in their communities.

ISRAEL

INDEPENDENCE DAY

Hon. Yoine Goldstein: Honourable senators, 58 years ago today, according to the Jewish calendar, the state of Israel was born.

I am particularly proud that Canada played a highly significant role in the discussions and negotiations at the United Nations which led to the resolution calling for the partition of what was then Palestine into a Jewish state and an Arab state.

The Israelis immediately accepted the partition. Over half a dozen Arab countries attacked. That scenario, only somewhat attenuated, continues to exist today. While the attacks do not come from armies, they do come from terrorists, suicide bombers, a Hamas-led government in a neighbouring place and, potentially, from sabre-rattling Iranian extremists who call for the annihilation of Israel.

Canadians continue to have a particular interest in Israel. We share with Israel a commitment to the concepts of a democratic state, free elections, free press, gender equality, an independent judiciary and an earnest desire for peace.

Honourable senators, please join me on behalf of all Canadians in wishing a happy Independence Day to the people of Israel, with whom we, as Canadians, share fundamental and core values. Please join me, honourable senators, as well in praying for peace in this very troubled region.

SUFFERING IN SUDAN

Hon. Mobina S. B. Jaffer: Honourable senators, the situation in Sudan should have a whole-Sudan approach.

Over the past few weeks, there have been rallies, news coverage and a take-note debate in the other place drawing attention to the ongoing conflict and humanitarian disaster in the western Darfur region of Sudan.

For the past four years, I served as Canada's Special Envoy for Peace in Sudan. This raising of awareness among Canadians and Canadian politicians gives me hope that we will continue playing an important role in Sudan over the course of this session of Parliament.

Honourable senators, I have been to many parts of Darfur and I can tell you that the suffering of the Darfurians is heartbreaking. Let me share with you what I go to sleep with every night as result of those visits.

I often visited refugee camps where I would sit with 13- and 14-year-olds who had been gang raped. As they sat in a corner at a rape centre, we stared silently at one another. They had no words to describe what had been done to them, and I could find no words of comfort to offer to those who had suffered such atrocities.

I continue to think about what I thought about then: How can Canadians help to heal their pain? Perhaps now we will.

Honourable senators, on behalf of our country, I have visited eastern Sudan where people are also living in camps. There is fighting in this region as well. I have had displaced mothers take me to the port district of the Port of Sudan and point out all the trucks of food going to Darfur while they and their children starve.

All I thought of then and now is, how can Canadians help feed these people? Perhaps now we can.

Last December I was in southern Sudan in the capital city of Juba. Just outside the city, the Lord's Resistance Army (LRA) had destroyed a village. No one, including the UN, would go to that area. Alan Bones, our chargé d'affaires in Sudan, and Samia Ahmed and myself walked toward the village to find out what had happened.

The LRA's modus operandi is to abduct children aged between nine and 14 to serve as child soldiers and sex slaves. They have also cut the lips, ears and noses of women. To see the women of this village with mutilated faces still showing the pain of losing their children is a fate I do not wish any of my colleagues to share.

All I thought then, as now, is how Canadians can help to protect the southerners who have suffered from 20 years of civil war. Perhaps now we can.

• (1345)

Honourable senators, when we think of Darfur, I urge you to also include other parts of Sudan. People in all parts of Sudan are suffering. Let us work for the whole of Sudan.

Our creator has given us such abundance in this country that perhaps we can help heal, feed and protect our brothers and sisters who suffer. Perhaps now we can.

URBAN TRANSIT TAX CREDITS

Hon. Pierrette Ringuette: Honourable senators, the government announced that it will spend \$900 million on capital costs for urban transit and announced yesterday a tax break for urban transit users to the tune of another \$2 billion over five years funded by all Canadians, both urban and rural. This is nearly \$3 billion over the next few years.

What is the government offering to Canadians who do not have access to urban transit? This is like double-barrelled taxation for Canadians who live in urban areas. What is the government offering to Canadians living in Grand Falls, Edmundston and Woodstock, New Brunswick, who have to pay for a car, maintenance and insurance? What about the government's mantra of "giving people choices"? Rural Canadians have no choice but to have a car, with all of its expenses, if they want to go to work.

There is no money for regional airports that the Conservatives promised in the last campaign. There has actually been a decrease in funding for VIA Rail to maintain current lines, never mind adding to them so other communities can have access to mass transportation.

The Conservative government is willingly contributing to the great social and economic divide between rural and urban Canada. It is willingly giving preferential treatment to urban Canadians to the detriment of rural Canadians. The federal government must give some type of transportation cost tax credit to rural Canadians that will be comparable to both the urban transit capital funding and the tax credit for urban transit users. That is a must!

[Translation]

NATIONAL MENTAL HEALTH WEEK

Hon. Lucie Pépin: Honourable senators, this first week of May is National Mental Health Week. It serves as a reminder to everyone to take care of their mental health as much as their physical health.

Most Canadians are aware of the benefits of regular physical exercise.

However, physical exercise alone is not enough to guarantee good health. The Canadian Mental Health Association reminds us that being in good health also means feeling mentally well. This year's message from that association is "Take control of your health. Take care of your mind."

During this week we are invited to reflect on ways to maintain our mental fitness. Simple things like taking up a hobby, adding humour to our lives, volunteering, strolling in a park far from our worries and obligations, or even taking time for ourselves every day helps strengthen our mental well-being.

The Canadian Mental Health Association has recently developed a tool to assess our mental fitness and determine what needs to be done to improve it. This self-test is available on the association's Web site.

I invite you, honourable senators, to adopt a proactive attitude in your everyday lives. Mental health, which is not necessarily the absence of mental illness, is a key element to a person's well-being. It helps us better cope with stress, achieve our full potential and contribute significantly to society.

ROUTINE PROCEEDINGS

[English]

CANADIAN HUMAN RIGHTS COMMISSION

2005 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the Canadian Human Rights Commission 2005-06 annual report pursuant to section 61 of the Canadian Human Rights Act and section 32 of the Employment Equity Act.

• (1350)

BUDGET 2006

DOCUMENTS TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of tabling, in both official languages, the 2006 budget documents.

FOREIGN AFFAIRS

REPORT PURSUANT TO RULE 104 TABLED

Hon. Hugh Segal: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Foreign Affairs. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 97.)

[English]

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO ENGAGE SERVICES

Hon. Hugh Segal: Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That the Standing Senate Committee on Foreign Affairs have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

[Translation]

NOTICE OF MOTION TO AUTHORIZE
COMMITTEE TO PERMIT ELECTRONIC COVERAGE

Hon. Hugh Segal: Honourable senators, I give notice that at the next sitting of the Senate I shall move:

That the Standing Senate Committee on Foreign Affairs be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

QUESTION PERIOD

FINANCE

BUDGET 2006—PROVISION FOR FISCAL PRUDENCE

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, my question to the Leader of the Government in the Senate is about the budget. We all noted with great interest and surprise that yesterday was a historic day. It was the first time in my lifetime that a federal Conservative government has brought in a balanced budget, the last time being during the tenure of Prime Minister Borden in 1912.

Some Canadians will undoubtedly be concerned about the fiscal prospects for Canada in terms of the intentions of the new government. My first question is with regard to the change in the practice of having a provision for fiscal prudence in the budget. An amount of \$3 billion has been earmarked for debt reduction, as has been the case in recent budgets. However, in contrast to recent budgets, there is no provision for fiscal prudence. In past budgets there has been provision for \$1 billion, which has covered ice storms and other such unbudgeted events. There has been another \$1 billion budgeted for agriculture, about which I am sure you will hear.

Why is there no provision for fiscal prudence in the current budget?

• (1355)

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank the Honourable Senator Hays for his question.

It is nice to have a Conservative government deliver a balanced budget. It is nice that the dollars derived from overtaxing Canadians can now be put to good use.

With regard to the honourable senator's question, as the Minister of Finance stated, the present government will not make four or five-year projections but there will be two-year budgeting periods. The government is committed to the \$3 billion deficit reduction and instead of hiding contingency funds, it will be honest about the money it puts aside.

THE SENATE

ABSENCE OF MINISTERS

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, while I am on my feet, I will take this opportunity to respond to some questions that were raised yesterday.

My absence from Question Period yesterday, although regrettable, was unavoidable. Question Period is an important part of our parliamentary tradition, and I certainly treat it as such. However, as was the case many times with the former Leader of the Government in the Senate, he was unavoidably absent from time to time. As whip, many times I would prepare

questions, send them to His Honour and then, when we were about to ask questions, we were told that the Leader of the government in the Senate would not be in the chamber for Question Period.

In the past, we thought it proper not to exploit the government leader's absence for political purposes, but sadly I have to say that ended yesterday. I am concerned about this behaviour.

Some Hon. Senators: Oh, oh!

Senator LeBreton: I am concerned because it serves only to bring the Senate into disrepute and it is the reason why we have such a poor record.

I think the mistake senators opposite are making is in thinking that they will get me angry, and they will not.

My absence yesterday was to attend a special cabinet meeting to brief us on the budget. I take my job of answering for the government very seriously. I expect that honourable senators opposite would have thought that I would be there for the briefing on the budget.

Before I start to answer these questions, I want to thank those honourable senators on the other side of the house who came up to me and said that they did not support the actions of their colleagues.

Some Hon. Senators: Hear, hear!

Senator LeBreton: For those who expressed those sentiments to me, I thank you very much. I felt they were sincerely given. I very strongly suggested that, perhaps, they give that message to their own colleagues.

That is an answer to the question posed by Senator Hays.

AGRICULTURE AND AGRI-FOOD

FARM INCOME AND DISASTER RELIEF

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I will not go on as long with my answer as Senator Milne did with her question.

Suffice to say that the honourable senator's question is redundant because the budget answered her question.

To keep this in perspective, in terms of agriculture, I was pleased to read that Gary Doer, the Premier of Manitoba, said that the federal government's agriculture commitment in the budget is good news for his province. I understand the government has also received similar sentiments expressed by both Saskatchewan and Alberta.

PARLIAMENT

FLYING OF PEACE TOWER FLAG AT HALF MAST IN HONOUR OF SOLDIERS WHO DIE IN WAR

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, in answer to Senator Cordy's question about the flag, there is no one in this chamber on either side who does not honour the service of our soldiers — no one. The

question of the lowering of the flag, as I said in response to Senator Day when he first asked the question in the Senate, was a decision of the government of the day taken in November 2005. It was the decision of the Minister of Defence who is now the Acting Leader of the Opposition in the other place.

• (1400)

I will quote from Senator Carstairs: There are no points of order during Question Period.

NATIONAL DEFENCE

RESIGNING OF NORTH AMERICAN AEROSPACE DEFENCE AGREEMENT

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, in answer to Senator Day's question about the NORAD agreement, the text of the NORAD renewal agreement was signed last week. The signature signalled the end of the negotiation of the agreement. The negotiated agreement makes provision for signature prior to its ratification and entry into force. The agreement will enter into force only after debate in the House of Commons, which is taking place today, and following an exchange of diplomatic roles.

Hon. Joseph A. Day: I have a supplementary question, honourable senators.

Senator LeBreton: I will take it later.

The debate and vote will mark the first time a NORAD renewal has been submitted to Parliament. After the debate takes place tonight, the Minister of Foreign Affairs, Peter MacKay, will sign.

Senator Day: I have a supplementary question.

Senator LeBreton: The honourable senator can ask his supplementary later.

NATURAL RESOURCES

RESEARCH AND DEVELOPMENT IN FORESTRY INDUSTRY

Hon. Marjory LeBreton (Leader of the Government): With regard to Senator Ringuette's question on the softwood lumber agreement, it is not a choice between free trade and managed trade. It is a choice between either a negotiated resolution that gives market access and security or continued litigation.

Senator Robichaud: This process is an abuse of this house.

Senator Mercer: Order!

Senator LeBreton: The softwood lumber dispute has been the exception in our trading relationship with the United States, not the norm. Ninety-six per cent of Canada-U.S. trade occurs without dispute, and no other industry in Canada has been subjected to the same degree of U.S. trade actions as the lumber industry. The agreement is a fair and durable resolution in the best interests of Canada as a whole.

Senator Ringuette: You are financing the U.S. industry.

Senator LeBreton: This agreement will provide certainty and stability to the government, the industry and to the workers, families and communities whose livelihoods depend on the sector. They have long indicated the desire for a durable resolution, and the new Conservative government delivered.

Senator Ringuette: I am sorry, but the government leader was not here yesterday.

Senator LeBreton: It is good that the honourable senator pays attention. I was here yesterday, actually.

As honourable senators know, the Atlantic provinces were exempted for the first time.

Senator Robichaud: This procedure means that the Leader of the Government will only have to answer questions once a week, which is completely out of order.

Senator LeBreton: I would like to add that yesterday's budget contained a commitment from the federal government to develop a broad-based agenda for a more competitive and productive Canada.

Senator Milne: These are delayed answers!

Senator Ringuette: It is a good thing you can read!

Senator Milne: Disrespect of this house.

Senator LeBreton: I will refer to a quote from Winston Churchill that applies to you people. He once said, "There is nothing more exhilarating than to be shot at without result."

INFORMATION COMMISSIONER

PROPOSED FEDERAL ACCOUNTABILITY ACT

Hon. Marjory LeBreton (Leader of the Government): With regard to Senator Munson's question on the Information Commissioner, it is disappointing to read that Mr. Reid, the Information Commissioner, by his own admission, has chosen to disregard the parliamentary process and attack the government through the media. Canada's new government is committed to expanding the Access to Information Act, and Minister Baird met last Monday with Mr. Reid.

Senator Milne: These are delayed answers. This is disrespectful of this chamber.

Senator LeBreton: They had a long discussion.

Senator Ringuette: It is a good thing she can read.

Senator LeBreton: Mr. Reid gave five questions to the President of the Treasury Board, who undertook to respond to them. They were working on an answer, and Mr. Reid went to the media instead. We are committed to a strengthened information and accountability act.

CORRECTIONAL SERVICE

NEW PRISONS

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the next answer is with regard to Senator Carstairs' question about prisons.

Senator Mercer: That is a new housing program — more prisons.

Senator LeBreton: I am not willing to prejudge the work of the other place, but I will say that once it has dealt with the safe communities issue, we will then be in a position to determine what will be required in terms of prisons. I want to point out that no new prisons are under construction as of now, and we will await the policies of the government on getting serious about crime.

JUSTICE

ACCESS TO INFORMATION— RIGHT OF PUBLIC TO BE INFORMED

Hon. Marjory LeBreton (Leader of the Government): With regard to Senator Banks' question, honourable senators, I will show you how out of the loop I am. When he said his question was directed to Lamont Cranston, I wrote, "Who in the — is Lamont Cranston?" As Senator Banks would know, any investigation by the RCMP cannot be commented upon.

• (1405)

Senator Mercer: That is why they have this special prosecutor.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

INDIAN RESIDENTIAL SCHOOLS RESOLUTION

Hon. Marjory LeBreton (Leader of the Government): One serious question that we received yesterday was on the residential schools, from Senator Sibbeston. His was a serious, heartfelt question.

Residential schools is a very serious issue. It is one that the previous government was also very concerned about and worked hard to find a resolution. For that, I give them great credit and thank them.

The federal representative, the Honourable Frank Iacobucci, has reached substantive agreement on a final Indian residential schools agreement but is still confirming final details with some of the parties. As Jim Prentice, Minister of Indian Affairs and Northern Development, has stated, legal representatives for the Catholic Church groups involved have given their assurance that they will confirm their written support for the agreement. These discussions are in the final stage. Once we have final confirmation, the government will immediately consider the settlement agreements and advance payments to the elderly, and will deal quickly with the timing of those payments.

In response to Senator Sibbeston's supplementary question, I would like to add that in issuing any payments as part of the agreement, the government will ensure that an appropriate process is in place to make sure that the funds go to valid claims.

THE SENATE

ABSENCE OF MINISTERS

Hon. Marjory LeBreton (Leader of the Government): Finally, in answer to Senator Austin's question about whether my participation at a cabinet meeting yesterday was an indication of the government to provoke the Liberal opposition in the Senate to show that the Senate needs reformation, I say that acts speak louder than words.

Some Hon. Senators: Hear, hear!

FINANCE

BUDGET 2006—PROVISION FOR FISCAL PRUDENCE

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, as to the orderliness of our proceedings I will raise the matter at the appropriate time, before Orders of the Day.

To return to the question that I had put to the Leader of the Government. I think there is valid reason for concern about governments, particularly new governments, and how effective they will be in their practice of fiscal prudence. The last Conservative government, coming into office in 1984, took office at a time when the debt was at \$157 billion, and left office in 1993, after adding another \$330 billion of debt, more or less.

Senator Mercer: Outlandish!

Senator Hays: Those of us who were members of the Liberal Party of Canada, currently the official opposition, I think quite properly, take some credit for good fiscal management and being fiscally prudent.

My question, as a supplementary to the first question, is related to the idea of a two-year cycle and setting us straight on how we can take comfort in terms of continued fiscal prudence.

Based on the two years that we have seen, we look forward to revenues for 2007-08 increasing by approximately \$15 billion. Federal spending, we are told, will increase by \$16.7 billion. We know that to meet the obligations of the election platform, there is some \$22.5 billion in savings, or monies coming from somewhere, that are required to remain fiscally prudent.

Honourable senators, I put my question to the Leader of the Government in the Senate: Is there some plan to give us a better indication of what the future holds in terms of these high expenditures that are promised under the current government's budget and particularly in its political platform and the known contingencies of a requirement to generate \$22.5 billion, I believe

in five years, to meet the commitments? The only provision that we see now is a \$1 billion target in savings for the current year and a \$1 billion target for the next fiscal year.

• (1410)

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, before I answer that question, I would set the record straight on the comment by the Leader of the Opposition in respect to the situation that the Liberals "inherited" in 1993.

Deficits can only be calculated as a percentage of the GDP. The worst deficit in the history of this country was left by Pierre Trudeau in 1984, when it was 8.6 per cent of the GDP. The Mulroney government reduced that to 4.6 per cent. Bob Rae, former Premier of Ontario, pointed out that the recession was world-wide and had nothing to do with just one level of government. Even at that, when the Mulroney government left office, the Campbell government took over. When the Campbell government was defeated, the deficit was a full 3.0 per cent of the GDP less than it was when we came into office. Every expenditure our government had to make was to pay down the interest on the debt.

On the issue that the honourable senator raises regarding the budget, the Minister of Finance, Jim Flaherty, spoke to the Treasury Board President about working toward \$1 billion in savings next year and in the following year going to the two-year cycle, unlike the budgets of the previous government. It was not the government that contributed to the paying down of the deficit but rather the taxpayers through over taxation. Financial figures will tell you that it was much like a hockey stick. Their budgeting was such that suddenly the announcements that were to make Canadians think they would receive tax cuts were really five years down the road. For greater prudence, more honourable efforts and better accountability to Canadians, Minister Flaherty has decided to work on the two-year cycle.

Senator Hays: Honourable senators, I have a further supplementary question. A two-year cycle is all well and good but Canadians are looking further than two years to sustain that comfort. The contributions of Canadians have been responsible for the good fiscal position that we are in today; and the leader is right to call me on that. However, I am right to say that looking ahead two years might be adequate for the current Minister of Finance but the people of Canada wish further comfort.

I have mentioned a few large contingencies. The fiscal situation is very good but the two-year projection is not enough to give us adequate comfort in terms of looking ahead to continued balanced budgets and continued fiscal responsibility on the part of the Government of Canada on behalf of the people of Canada.

Senator LeBreton: Honourable senators, obviously that is the opinion of the honourable senator. The Minister of Finance has another opinion. I will certainly point out to Minister Flaherty that the honourable senator has concerns about the two-year cycle.

The honourable senator seems to be showing a great deal of concern for how Canadians feel today. From all of my reading and listening to the overview of what Canadians are saying,

Canadians are pretty happy with this budget because they have been paying too much tax. I do not think any of us could find someone who does not think they have paid too much tax.

Budget 2006 delivers more tax relief to individuals in one budget than was delivered in the last four federal budgets of the Liberals, including the deathbed repentance financial statement just before they were defeated in the other place.

• (1415)

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

BUDGET 2006— COMMITMENT TO ABORIGINAL COMMUNITY

Hon. Jack Austin: Honourable senators, I wonder if the Leader of the Government in the Senate, to whom this question is addressed, was properly briefed on what took place during Question Period in the chamber yesterday?

We certainly were aware that she was not present for Question Period. What goes way beyond the practice in this place is the fact that the deputy leader sat silent and would not take notice of questions. He took the occasional notice but for most of the questions he just sat silent. This is not the kind of respect that, in my view, is due to senators here.

I notice, honourable senators, that Senator LeBreton did not start her answer as she has up to now with the phrase "Thank you for the question." Obviously, in today's demonstration of her deportment during Question Period, we are seeing the proof of my question yesterday afternoon, to the effect that this high level of partisanship and aggressive negativity in this chamber is probably part of a pattern designed to put the majority of senators here on the defensive in order to set a pattern for the pressures that this government feels that it needs to bring in order to get legislation through.

Honourable senators, it is such a departure from our practice of lowering the level of partisanship and the Leader of the Government seeking to work constructively with an opposition.

Honourable senators, I want to express my sincerest disappointment and grief at the way in which the budget is dealing with the Aboriginal community and the Kelowna accord. It must be of deep pain to some on that side who worked very hard with my government to see the Kelowna accord put together then worked with the government to put it together. For example, I should like to tell you about the comment made by then Indian Affairs critic Jim Prentice, now the minister, who said on Aboriginal Peoples television network, to outline his party's support for the accord that:

"I am the party's spokesman on the Kelowna Accord and let us be perfectly clear. We are supportive of Kelowna we are supportive of the targets and objectives that were set at Kelowna."

Honourable senators, this government's budget has reduced the commitments of the federal government to the Aboriginal community from \$5.1 billion over four years to one quarter for the next four years. That will not address the issues of health, education, housing and commercial development on the part of the Aboriginal community. Needless to say, they are deeply disappointed.

Honourable senators, the question is this: Why is the government, of which the government leader is a member, so callous about the issues of that part of our Canadian citizens, which is the most deprived, which has the longest way to travel to be equal in standing to all Canadians, which has huge issues of adapting to our society? In particular why, in the circumstances where the Aboriginal leadership, the federal government and the provinces signed on to a deal, a high point of consensus which has never been seen before in Aboriginal affairs in this country, why have you let the Aboriginal community down so badly?

Hon. Marjory LeBreton (Leader of the Government): Thank you for that question, Senator Austin.

Senator Mercer: That worked, Senator Austin!

Senator LeBreton: On the preamble to your question about the Kelowna accord, I really do not think anyone on this side has to be lectured by anyone on that side about decorum in this chamber. I think it would do well for either to go into that debate. I do not think it is a debate you will win.

With regard to the Government of Canada and the Kelowna accord, the Government of Canada is committed to meeting the targets agreed upon. You must not have read the budget properly.

Senator Austin: Oh, I read it carefully.

Senator LeBreton: In total Budget 2006 confirms funding of well over \$3 billion in support of Aboriginal Canadians.

• (1420)

This budget supports doing things that count: improving the water supply, Aboriginal housing both on and off the reserve, educational outcomes and social and economic conditions for Aboriginal women, children and families.

No one has more credibility in this area than our own Minister of Indian Affairs and Northern Development, Jim Prentice, who will continue to work with Aboriginal leaders, the provinces and the territories to develop a new and workable approach to these problems in order to meet the established targets from Kelowna.

Senator Austin: Honourable senators, I do not consider that response as an adequate explanation or defence. We will agree to disagree on a number of things, I know. However, with respect to the Aboriginal file, the Premier of Alberta has expressed his disappointment that the government has moved away. The Aboriginal leadership have expressed their disappointment. No matter what words the leader wishes to use, this announcement is actually a retreat from support for the social and economic issues and problems of the Aboriginal community.

As I said earlier in this session, my hope is that this will be a second-look government, one that will look at the mistakes it is making and cure them because it is in the interests of the Canadian people that the issue of Aboriginal well-being be addressed.

Honourable senators, I hail from British Columbia, as does Senator St. Germain. I will not say what I think he thinks because I will not put thoughts in his head here now, but believe me, he will be getting a talking to from the Aboriginal leaders in British Columbia, I promise you.

Senator LeBreton: We have been in government less than 100 days, not 13 years. This is our first budget.

Senator Bryden: You have done all that damage in such a short time, just 100 days? It seems like forever.

Senator LeBreton: Honourable senators, on issues such as this, the only commitment I can make is what I have just said: The government is definitely committed to the targets outlined in the Kelowna accord.

With regard to Premier Klein's comments, I hasten to remind this chamber that he predicted that the Liberals would be re-elected. As far as my colleague Senator St. Germain is concerned, I am quite certain that he can make his views known and defend the actions of the government without any prompting from Senator Austin.

The Hon. the Speaker: Honourable senators, the time for Question Period has expired.

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, in light of the unusual circumstances of the day, I would ask for unanimous consent that Question Period continue for another 15 minutes.

The Hon. the Speaker: Is leave granted, honourable senators?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: Leave is not granted. We will proceed to Orders of the Day.

POINT OF ORDER

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, before we proceed to Orders of the Day, I rise on a point of order. With respect to the matter of Question Period and the orderliness of the way in which it has proceeded, I look to rule 24, which is the relative rule. In particular, I draw the attention of His Honour to subsection (4), which indicates that:

A debate is out of order on an oral question, but brief explanatory remarks may be made by the Senator who asks the question and by the Senator who answers it.

The rules provide elsewhere to whom questions can be put, and I think they are well understood. Rule 24(3) provides that:

If an oral question cannot be answered immediately, the Senator to whom it is addressed may take the question as notice.

I am not sure whether there is a rule that specifically provides for a question to be put to a senator who is also a minister where that person is not present, but my recollection of the practice in this place is that when the Leader of the Government has been absent, the Deputy Leader of the Government has offered to take questions as notice.

• (1425)

I am not sure of the exact wording, but I believe that happened yesterday.

Today in Question Period, the Leader of the Government — and I concede that this is not unprecedented — has taken the time of Question Period to answer questions put on another day.

Senator LeBreton: Senator Austin did it all the time.

Senator Hays: I do not believe that that is in order, honourable senators.

Senator Austin: I tried to, but Senator St. Germain prevented me.

Senator Hays: I believe that a ruling from the Chair in this matter would be helpful in terms of the way in which Question Period proceeds in the future.

Hon. Hugh Segal: Honourable senators, on the same point of order, from our perspective as private senators, all of us share a common desire for the treatment of questions with the highest measure of respect. I had a short period of time on the other side of this chamber and I was always grateful for the respect and courtesy extended to me by the Leader of the Government when I asked questions.

It is my sense, however, on the same point of order, that as long as there is not a specific limit in the rules relative to the amount of time that the government leader might take in answering any specific question — and I do not believe it exists, but I defer to others with greater experience than myself — we are putting His Honour in a difficult circumstance. I did hear the Leader of the Government express her regret at not being here yesterday and I think she took the position that the honourable thing to do was to respond seriatim to the questions that were put in good faith yesterday by members opposite. I recall specifically Honourable Senator Carstairs, for whom I have the greatest affection and regard, standing up and making it clear that yesterday was simply “a question period” and not “an answer period,” thereby, and I think honourably, creating concern that there was no one on this side to answer the questions. To the same point of order, it was my sense that the Honourable Leader of the Government was attempting to reflect that premise and give the answers as best she could in the present context.

Hon. Bill Rompkey: Honourable senators, there is another provision that has been overlooked, and that is Delayed Answers. There is a mechanism for responding to questions and we have all used it. It is a time-honoured practice to bring in delayed answers;

but one does not bring in delayed answers during Question Period. One does not use up the time of those who have the right to ask the government questions. This is a democracy; we have rights and responsibilities in this chamber to bring the government to account. That is our job as the opposition. We were not able to do that yesterday and we are not able to do it today because our time in Question Period has been used by answers that should have been delivered under the Order Paper item of Delayed Answers.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, the Leader of the Opposition made several points that should be noted by His Honour when he considers how he will rule on this matter. At one point, I believe the leader said, "I am not sure if there is a rule on this." He actually did use the words, "However, it has been practice." Practice is not necessarily a rule.

I wanted to make several points. First, there has been a time-honoured tradition in this place that when the Leader of the Government in the Senate is not here, there is no Question Period. I recall a number of times when we were on the other side that the government leader would not show up. We would be advised quite often. Someone would walk over and say, "By the way, there is no Question Period today." Of course, we grumbled a bit to the messenger, but we did accept the tradition that, on occasion, the Leader of the Government in the Senate could not be present. Whether or not we liked it, it was something that we accepted.

A point was raised by the Leader of the Opposition that I had not taken questions under notice. I would like to read honourable senators a few comments from Hansard yesterday. In response to Senator Banks, I said:

Honourable senators, we advised you before Question Period that the minister responsible would not be present today. Your questions will be noted and passed on to the minister.

• (1430)

On quite a number of occasions throughout Question Period yesterday, whenever a question was directed to the Deputy Leader of the Government, I responded along the same lines, stating that the question would be passed on to the minister.

On some occasions yesterday, some of the speakers said, "I want to address the empty chair" and things to that effect; or some would say, "I want to address my question to the Leader of the Government in the Senate." In those cases, I could not answer for the Leader of the Government because I am not the Leader of the Government in the Senate and she was not here. Obviously, I did not get up on those occasions.

Hon. Lowell Murray: Honourable senators, I was intrigued by one of the citations that the Leader of the Opposition quoted when he raised the point of order. I do not have the text in front of me, but I think I can do justice to it.

He cited the rule that while brief explanatory statements are permitted by the person asking the question and the person answering the question, there is to be no debate during the oral

Question Period. I would ask Your Honour to determine whether it would be the disposition of honourable senators for the chair to enforce that rule specifically and vigorously in the future.

Hon. David Tkachuk: Honourable senators, I wish to respond to a couple of points that were raised by the Leader of the Opposition. It is true that answers to questions were often given as Delayed Answers. Question Period, despite its name, is not just about questions, but also about answers; and it is not just an opportunity to speak at the earliest possible convenience. Due to the seeming urgency of those questions yesterday, I thought that our leader responded. I am sure that all members who asked those questions wanted those answers at the earliest possible time and they received same.

As far as answering questions outside of Delayed Answers, Senator Austin set the bar for that many times in this chamber. Honourable senators will remember— and I am trying to be non-partisan here — that on many occasions Senator Austin would say "and while I am on my feet"; then he would pull a question from three weeks previous and read it into the record for two, three, four or five minutes. It was okay for them.

I am not saying that would be okay for us. However, on this occasion, I am sure that the time that the Leader of the Government in the Senate used to respond to questions from yesterday would not even come close to the time that Senator Austin used while he was the Leader of the Government.

Hon. Jack Austin: Honourable senators, I had not intended to engage in this point of order, but Senator Tkachuk has invited a response.

Let me define the practice when I was Leader of the Government. First, I attempted at one point to give a delayed answer orally when Delayed Answers were called, and Senator St. Germain took exception to that and raised a point of order. It was ruled that I could not so do, so that clears that fact away.

With respect to Senator Tkachuk saying that I often answered questions from three weeks previously or so on, I do not think the honourable senator would find many examples. However, when I did so, it was in an attempt to be helpful to an individual senator, and it was not done with an aggressive and negative tone. If it was not welcome, believe me, I stopped immediately.

Finally, the Leader of the Government in the Senate spoke about my many absences. Actually, I was never absent during Question Period except when I was summoned to attend on Her Majesty the Queen at the Saskatchewan centennial. What took place before my time, I cannot say; but I treated my presence in Question Period as my priority over all other government business.

Hon. John G. Bryden: Honourable senators, I wish to participate in this discussion. I look at Senator Segal and suggest that perhaps yesterday and today would not be a good time to have the TV cameras rolling, either. However, I wish to give my reaction to what happened yesterday that has brought about this controversy.

As honourable senators will know, I was getting ready to make a speech later in the day, so I had my head down patching and gluing things together from old speeches. I noticed that Question Period had not been called and I looked up. When I did so, I saw the Leader of the Government in the Senate and the Minister of Public Works with their backs to me walking up the aisle and out of the chamber. Both of the cabinet ministers — and we have the luxury of having two cabinet ministers — left.

I did not have any idea why they were leaving. If the Leader of the Government in the Senate had given her fellow senators, her colleagues, the courtesy of indicating that unavoidably they would not be able to deal with Question Period — she did not have to apologize, just the courtesy — then we all would have known that something had changed and would have been able to accept it more easily.

Perhaps there is no rule that says one must do that. However, one of the things that has worked in this chamber in the 12 years that I have been here — I know many unfortunate things went on before, maybe I am the reason it has all changed for the better, I do not know — is that even though we have often had heated and tough debates, for the most part they have been respectful and courteous. The tone really has to be set by our leadership, I believe.

I was disappointed yesterday in what triggered what ended up being a not particularly good show on our side, either. It would have been so much easier, and we would not be having this discussion now, if common courtesy had prevailed and the rest of the senators who were here had been informed as to what was happening.

[Translation]

• (1440)

Hon. Eymard G. Corbin: Honourable senators, in the Daily Routine of Business, first we have Senators' Statements then Tabling of Documents. I will bypass all the other items and go directly to item 14, Question Period, which is followed by item 15, Delayed Answers. Today honourable senators were subjected to a reading that should have taken place at the time for delayed answers.

I heard several senators raise a point of order. The *Rules of the Senate* do not, of course, permit points of order during question period.

However, according to rule 18(1), the Speaker shall — and must — preserve order and decorum in the Senate.

Honourable senators, why was there silence from the principal seat in this chamber?

[English]

Hon. Anne C. Cools: Honourable senators, I submit that the honourable gentlemen on the other side have raised no valid point of order in this circumstance. Rule 18, which Senator Corbin read into the record, contains the limitation on the powers of the Speaker with respect to questions of order.

[Senator Bryden]

Honourable senators, unlike the Speaker of the House of Commons, the powers of our Speaker with respect to order and disorder are extremely limited and extremely circumspect.

We are having a little bit of drama, although, fortunately, not high drama.

The only rules that mention questions of order are rule 23(1), 50, and 18(1), (2) and (3).

Honourable senators, perhaps we should try to step out of the situation in which we find ourselves and retreat from the position of inviting a ruling on whether there is a point of order. I would like us, rather, to consider human frolic, human caprice, human frailty, human indulgence and a few other human elements with regard to this problem.

As provided in rule 18(1), the only instance in which His Honour is authorized to act on his own initiative is that of "grave disorder," that is, grievous or serious disorder. It would require a great stretch of imagination to believe that what just happened in this chamber could be characterized as grave disorder.

I wish to rescue His Honour from any feeling of guilt that he did not rise and take the situation into his own hands because, had he done so, I would certainly have objected strenuously, because His Honour would have been out of order, which is not a desirable state.

Honourable senators, I propose that we deal with this matter by considering it to be a joke that went wrong or a caprice that went astray. If there is something different about what Senator LeBreton did today in responding to questions, one must look at the origin, which was yesterday. The situation yesterday was equally odd. Frankly, I thought yesterday that the opposition was making a stab at levity and humour.

The frolic of some opposition members yesterday fell a little short in that it did not anticipate that there would be responses today. They anticipated that today we would have a normal Question Period.

I appeal to all honourable senators to step outside this situation. There is no valid point of order. There is nothing to which the His Honour can point to say that something was violated. There has been no injury in any form or fashion.

We must accept that in this house only a minister of the Crown can speak for the government on matters of government policy, which is why the Leader of the Government in this house has to be a minister. Some people believe that the Leader of the Government in this house is the minister for the Senate. He or she is not the minister for the Senate. Under law, the Leader of the Government in the Senate must be a minister. It has historically always been intended that that particular person would occupy two positions, those being Leader of the Government in the Senate and cabinet minister.

Rather than viewing this situation as a point of order, we should view it as a joke that went astray. Perhaps we can find a better way to deal with bad jokes than raising points of order.

In my view, the His Honour has absolutely no role in this matter. Senators on the other side are asking His Honour to create a false scenario. The fact is that there can be no points of order raised during Question Period. The opposition knew that yesterday, so we just sat and listened, as His Honour had to do today for the same reason.

His Honour cannot be asked retroactively, by raising a point of order a few seconds after Question Period, to rule that there can be points of order during Question Period. That is not in order.

Honourable senators, let us view this as a joke that did not play out in the way in which the opposition had hoped it would. It was a bit of frolic and caprice. Let us leave it there and let it be.

Senator Comeau: Honourable senators, when Senator Bryden said that he did not know that there was to be no Question Period yesterday, I began to think about what happened. When we were looking at the Order Paper yesterday morning, we realized that due to the large number of items prior to Question Period, the Leader of the Government in the Senate and the Minister Responsible for Public Works would not be able to attend Question Period. We immediately had our staff call the staff from the opposition side to indicate that we wished not to have Question Period. This happened at approximately 12:45 p.m. or 1 p.m. yesterday. We were led to understand that our explanation was acceptable and that the other side would understand.

• (1450)

We seem to be getting mixed signals that at least one senator and possibly others on the other side were not informed, or perhaps the breakdown in communications happened between our staff and the opposition staff. This is a situation where we should see what happened with our communications because, obviously, we did make the call. We were led to believe that the other side, even though its members grumbled a little bit, would understand our situation. Perhaps this is one of the areas that both sides can work on. Communications might have broken down between our people.

Hon. Jim Munson: Honourable senators, I do believe in the point of order, but all this talk and the things that have been going on for the last 25 minutes sometimes reflects why much of the public does not pay attention to some of the things we do here. Today, I wanted to speak to an inquiry on autism. However, because we like to hear ourselves, I guess families who have children with autism can wait for another day. I just think that is not a very good thing.

Hon. Jeremiah S. Grafstein: Honourable senators, I listened with great interest to comments on both sides. A senator asked me if I had ever seen in my experience in the Senate the absence of the Leader of the Government in the Senate being in Parliament at the same time without an adequate excuse or reason, and I had not. In the 21 years that I have been here, I had never seen such a situation where we have the advantage of a capable and experienced senator as the new Leader of the Government in the Senate and now the addition of a new senator who is a cabinet minister as well. From my perspective, not only is it a question of rules, it also is a question of the Constitution and of convention.

I will refer to the Constitution for a moment to perhaps elucidate the issue because this question occurred to me when I saw that the Leader of the Government in the Senate and our newly appointed and welcomed member from Quebec were not here. I will quote from the oath administered during the introduction of new senators. We all signed it. The greeting from Her Majesty the Queen states:

KNOW YOU, that as well for the especial trust and confidence We have manifested in you, as for the purpose of obtaining your advice and assistance in all weighty and arduous affairs which may the State and Defence of Canada concern, We have thought fit to summon you to the Senate of Canada...

That is our invitation to come forward. Then the command follows:

AND WE do command you, that all difficulties and excuses whatsoever laying aside, you be and appear for the purposes aforesaid, in the Senate of Canada at all times whensoever and wheresoever Our Parliament may be in Canada convoked and holden, and this you are in no wise to omit.

That is a command under the Constitution. It means that if you come here as a senator, you are here not only in your ordinary role as a senator but — and this is where convention is important — also in your role during Question Period because it is an integral element in our Order Paper. It is part of our practice, convention and rules. The convention is that government and opposition leaders attend to question the government when it is sitting in Parliament.

Honourable senators, I hope that we will look at this question in a broad way, not only as a rule and a privilege. It might affect the privileges of every honourable senator, depriving them of the opportunity to hear the government being questioned by the opposition at the appropriate time. It raises the whole question of the invitation and command.

I say that to new senators because this issue was brought to my attention when I had business outside of the Senate, and I satisfied myself that I somehow could conform to my oath while dealing with my public duties as a senator.

Senator Hays: Honourable senators, I did not make more than a reference to the word “brief” in the rules in terms of Senator Segal’s concern about what guidance might be found in the rules. It is a difficult thing to define, but I do remind honourable senators the word “brief” is there in terms of the preamble to question and the answer, and I hope Your Honour will find that word useful.

The Hon. the Speaker: I thank all honourable senators who participated for providing advice on this point of order. I will take it under advisement and provide a written response.

ORDERS OF THE DAY

CANADA ELECTIONS ACT INCOME TAX ACT

BILL TO AMEND—SECOND READING

Hon. Consiglio Di Nino moved second reading of Bill C-4, to amend An Act to amend the Canada Elections Act and the Income Tax Act.

He said: Honourable senators, I am pleased to have the opportunity to participate in the debate on Bill C-4 regarding party registration. The bill refers to new rules for the registration of political parties which were adopted by Parliament in 2004 in Bill C-3. The bill before us today is crucial to ensure that we maintain a valid party registration system beyond May 15 of this year. I will explain the urgency of this statement in my further comments, and it will become apparent why we need to deal with this issue expeditiously.

Honourable senators, new party registration rules were required in 2003 after the Supreme Court of Canada struck down the former rules in the *Figueroa* decision. Those rules required a party to field 50 candidates at an election to become a registered party and have access to certain benefits under the Canada Elections Act. These benefits include the rights to issue tax receipts for contributions received, access to partial reimbursement of the party's election expenses, and access to free and paid guaranteed broadcasting time.

In *Figueroa*, the Supreme Court held that the 50-candidate threshold was contrary to section 3 of the Canadian Charter of Rights and Freedoms. Section 3 guarantees Canadians the rights to vote and be a candidate for election, which includes a right to meaningful participation and representation.

To give Parliament the opportunity to amend the Canada Elections Act, the Supreme Court suspended its decision for one year. Bill C-3 lowered the candidate threshold for a party to become registered to a single candidate. It also made a range of other modifications to the act to ensure that only genuine parties are registered and to prevent abuse of the tax credit and other benefits.

A key aspect of that bill was the inclusion of a definition of political party in the Canada Elections Act, which required the party to have as a fundamental purpose participation in public affairs by endorsing one or more candidates. In assessing the eligibility of a party for registration, the Chief Electoral Officer must be satisfied that the party meets this definition. That bill also increased the required number of party members from 100 to 250 and included new anti-abuse measures and penalties.

Bill C-3 was eventually adopted within the one-year suspension of the Supreme Court's decision in *Figueroa* and therefore ensured that valid registration rules remained in effect at all times.

However, concerns about the new rules were expressed during the course of parliamentary consideration. For example, some maintained that a threshold of a single candidate would be too low to discourage opportunistic groups from pretending to be political parties in order to gain access to public funding. Some

honourable senators expressed a view that other thresholds in the Canada Elections Act could ultimately be affected by the *Figueroa* decision, such as the requirement that parties receive the support of 2 percent of the vote nationally or 5 per cent of the vote in ridings where the party fielded candidates in order to receive party allowance and partial reimbursement of party election expenses.

• (1500)

However, because of the need to act quickly within the one-year suspension of the decision of the Supreme Court, it was not possible to properly deal with all of these issues at that time. As a compromise, a two-year sunset clause was added, with the agreement of all parties, to allow for a comprehensive review of the new rules at a later date.

Honourable senators, Bill C-3 came into force on May 15, 2004. The two-year sunset clause will come into operation on May 15 of this year if the bill before us now does not pass.

As the Chief Electoral Officer warned, the result would be a legal void in the Canada Elections Act. The registration and deregistration of political parties would be impossible. We would effectively have a closed-party system which would clearly not meet the requirements of section 3 of the Charter. Canadians would no longer be able to create or support new political parties that reflect their political views and aspirations.

It is important, therefore, for Parliament to take immediate steps to ensure that this scenario does not occur and that valid registration rules remain continuously in effect.

It is unfortunate that we are put in the position of having to make such a quick decision on this important issue. The previous government had plenty of time to complete the review of party registration rules in the previous Parliament but that government delayed taking action, and then it was too late to pass legislation prior to the election. However, we do find ourselves in this situation, and this bill will enable us to uphold the integrity of the Canada Elections Act.

I note that the other place recognized the urgency of dealing quickly with this matter. The bill's passage was expedited with the support of all parties.

Honourable senators, in addition to repealing the sunset clause, Bill C-4 will provide for a mandatory review of the new registration rules by committees of both the other place and this chamber within the next two years. Accordingly, Bill C-4 will ensure that there is a comprehensive review of concerns that were raised about the new registration rules when Bill C-3 was passed. It is important to note that the Senate will have a role to play in the mandatory review.

Honourable senators, this is not a complex bill. It contains only one clause — it is important. Bill C-4 will ensure that our electoral system will continue to thrive and remain a model for the world over. To allow registration rules to lapse and become inoperable due to the action of the sunset clause would be to eliminate a crucial element of our democratic infrastructure. To allow such a scenario would be inexcusable. I therefore urge all honourable senators to support Bill C-4.

Hon. Lorna Milne: Honourable senators, I am pleased to join the debate today on Bill C-4, to amend an act to amend the Canada Elections Act and the Income Tax Act.

Senator Di Nino has pointed out that Bill C-4 represents the latest link in a legislative chain that goes back to a Supreme Court of Canada decision in 2003, *Figueroa v. Canada (Attorney General)*.

In that decision, the Supreme Court of Canada held that the 50-candidate threshold contained in the Canada Elections Act was in violation of section 3 of the Canada Charter of Rights and Freedoms.

Section 3, honourable senators, guarantees to Canadians the right to vote and to be a candidate for election, as well as the right to meaningful participation and representation.

The Supreme Court also held that the declaration of unconstitutionality would be suspended for 12 months. This was to allow Parliament the opportunity to implement an alternative to the existing party registration regime. That alternative, honourable senators, came in the Third Session of the Thirty-seventh Parliament in the form of Bill C-3, which was passed within the 12-month time frame given by the Supreme Court. This ensured that valid party registration rules remained in effect from the time the *Figueroa* case was handed down and Bill C-3 was passed.

Bill C-3 has also made a variety of other modifications to the Canada Elections Act to prevent the abuse of the tax credit and other benefits. Senator Di Nino has spelled out those modifications.

Bill C-3 also added a purpose-based definition of "political party" and required the party's leader to make a declaration that one of the party's fundamental purposes is the same as that described in the definition. Entities seeking to register as political parties must also satisfy the requirements of the definition, both at registration and on an ongoing basis. If those requirements are not met, the Commissioner of Canada Elections may apply for judicial deregistration of the entity in question.

Honourable senators may recall that during our consideration of Bill C-3, some parliamentarians raised concerns in regard to the provisions included in the legislation. Some senators questioned the notion of a one-candidate threshold, contending that it is simply too low and has the potential to damage the effective operation of our electoral system. Other concerns involve possible future Charter challenges based on voter-support threshold for election expenses, reimbursement, as well as for the annual financial allowance.

In an attempt to address these concerns, a two-year sunset clause was added to Bill C-3 with the consent of all parties. Since this bill came into force on May 15, 2004, we are nearing the end of that two-year sunset clause.

The previous government attempted to resolve this matter during the last session of Parliament and formulated a plan to review the provisions in Bill C-3 and C-24, the political financing bill, at the same time. However, that plan was disrupted by the recent general election. That is where Bill C-4 comes before us.

Bill C-4 will repeal the sunset provision found within Bill C-3 and replace it with a requirement for a mandatory review. A committee of the other place and a committee of the Senate will be charged with completing a review of the provisions in Bill C-3 within two years and submitting reports of their findings.

Without the passage of this bill, the registration and deregistration of political parties would not be allowed, as the sunset clause takes effect on May 15. This could also call into question the legitimacy of any future election.

If passed in time, the bill before us will present all honourable senators with the opportunity to review the rules as they are set out in Bill C-3. It will also allow us to provide and debate a comprehensive report on how to approach issues regarding the future registration and deregistration of political parties in Canada.

I encourage honourable senators to support this legislation and to allow this review to take place over the next two years.

Hon. Serge Joyal: Honourable senators, I participated in the debate on Bill C-3 when it came to this chamber several years ago, especially when it was introduced after the decision of the Supreme Court of Canada in 2003.

I wish to draw to the attention of the Honourable Senator Di Nino, the sponsor of that bill, the fact that if we follow the course of what we have now, it would mean that the decision was given in 2003 by the Supreme Court of Canada, and the Supreme Court of Canada gave a year to implement the changes that were included in the decision, and the senator is agreeing to that reading. Then we adopted Bill C-3, which postponed it for two years. We are now at the point of two years and 10 days. We are debating a bill that will postpone those changes for another two years, bringing us to 2008. However, the final decision will not come in 2008; rather, at this time, only the report on the changes to the Canada Elections Act will have to be tabled. Once the report is tabled, we know what happens: it must be included in the legislation of the government. Honourable senators know the length of the legislative process in the best two years. That means that there would have been a decision by the Supreme Court of Canada in 2003 and seven years later the implementation of the changes recommended by the Supreme Court of Canada would have been legislated.

• (1510)

As the dictum states God proposes and men and women dispose, but the Supreme Court of Canada decision tried to right a wrong in 2003, and it would have taken seven years to make that change if everything were to remain as stated in this bill. I wish to draw the attention of honourable senators to that.

The bill seems innocuous enough in that it merely tries to right a wrong, but it would have taken seven years to implement a recommendation of the Supreme Court of Canada that should take only one year. Certainly, we must question how much attention we pay to a decision of the Supreme Court of Canada based on section 3 of the Charter. Honourable senators, in this case we are not dealing with fiscal measures or a measure of an administrative nature. Rather, we are dealing with the voting

rights of Canadians. That was the gist and substance of the Supreme Court decision in 2003. This is a serious issue. I am speaking today to draw the attention of honourable senators today to this situation. I am not opposed to Bill C-4, but we must be conscious of the consequences when we postpone, year after year, solutions to a fundamental issue that the Supreme Court has identified as being disrespectful of the rights included in section 3 of the Charter of Rights and Freedoms.

I wish to consider the bill at the Standing Senate Committee on Legal and Constitutional Affairs for further study, if it goes there. However, honourable senators must determine how quickly we should give effect to a decision of the Supreme Court of Canada that deals with the rights of Canadians.

The Hon. the Speaker *pro tempore*: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

The Hon. the Speaker *pro tempore*: When shall this bill be read the third time, honourable senators?

On motion of Senator Di Nino, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.

HAZARDOUS MATERIALS INFORMATION REVIEW ACT

BILL TO AMEND—SECOND READING—
DEBATE ADJOURNED

Hon. Ethel Cochrane moved second reading of Bill S-2, to amend the Hazardous Materials Information Review Act.

She said: Honourable senators may recall that the Senate first considered this bill in the last session as Bill S-40. After the bill received second reading, it was referred to the Standing Senate Committee on Social Affairs, Science and Technology. The committee held hearings on the bill and reported it without amendment on September 29, 2005. The bill received third reading in the Senate on October 20, 2005. The bill received first reading in the other place, but was not considered further before Parliament was dissolved.

Before addressing the provisions of Bill S-2, I wish to take a few minutes to refresh the memories of honourable senators in regard to the Hazardous Materials Information Review Commission. The Hazardous Materials Information Review Act, which is the subject of the bill that I am re-introducing, is the authority under which the Hazardous Materials Information Review Commission operates. The commission is an independent, quasi-judicial agency of government that plays an essential role in the protection of workers' health and safety and in the protection of industry trade secrets.

The commission is one element of the Workplace Hazardous Materials Information System, WHMIS. This information system is a joint undertaking of labour, industry and the federal, provincial and territorial governments. Under the authority of the federal Hazardous Products Act, WHMIS ensures that the

health and safety information needed to safely handle hazardous products is disclosed to the workers using those products. The information is provided on product labels or material safety data sheets. It identifies the hazardous ingredients in a product; the specific risks to the health and safety of those using the product; the precautions that must be taken in handling the material; and the appropriate first aid measures to follow if a worker is exposed to the hazardous ingredient.

As WHMIS was being set up, industry noted that there were situations in which the full disclosure of information on hazardous materials could betray product trade secrets to the benefit of a company's market competitors. For example, a company might find a new application for a hazardous ingredient in a manufacturing process. If the full chemical identity of that ingredient was made available to workers, it would also be made available to that company's competitors, and the company would lose the competitive advantage it had gained through the discovery. This is where the Hazardous Materials Information Review Commission fits in. The commission's mandate is to review and adjudicate claims for exemption of disclosure of bona fide product trade secrets. It is also responsible for ensuring that the documentation on the safe use of hazardous products provided to workers is absolutely accurate.

The Hazardous Materials Information Review Act has been incorporated by reference into the occupational health and safety legislation of the provinces and the territories. The mandate of the commission is, therefore, to balance the right of employers and workers to complete information on the use of hazardous materials with the right of industry to protect trade secrets, not only on behalf of the federal government, but also on behalf of the provincial and territorial governments.

When a business that supplies hazardous materials to industry in Canada wants to protect information that it considers a trade secret, it makes application to the commission for an exemption from disclosure. That application includes the required health and safety documentation. This differs from a situation in which there is no trade secret involved. In such a case, the health and safety documentation is subject to inspection by the federal, provincial or territorial government agency responsible for occupational health and safety in the industry in which the business operates.

On receipt of an application, the commission reviews the economic documentation in support of the claim for exemption from disclosure to determine whether the information meets the regulatory criteria for a trade secret. The commission also determines whether the accompanying material safety data sheet or product label is in compliance with federal, provincial and territorial requirements.

If the information being provided to workers is not in compliance with the relevant federal, provincial or territorial health and safety regulations, the commission orders the claimant to make the necessary corrections and to provide the commission with a copy of the corrected material safety data sheet. The decisions and orders of the commission are published in the *Canada Gazette* so that all affected parties have full information on the corrections that the claimant has been required to make. If the corrections are not made within the specified time period, remedial measures are at the commission's disposal, including steps leading to the prohibition of the sale of the product in Canada.

The protection offered to workers' health and safety is not trivial. I have been provided with information showing that since the commission was established in 1988, roughly 95 per cent of the material safety data sheets reviewed by the commission have been found to be non-compliant with legislation. The figures show that in recent years there have been, on the average, eight to nine corrections required for each claim.

• (1520)

Many of these shortcomings pose a potential threat to the health and safety of workers. Typical violations include failure to identify the effects of acute or chronic exposure to a product; failure to identify that a hazardous ingredient in a product is a known carcinogen; failure to identify hazardous combustion products, and failure to provide adequate information on appropriate measures if a worker is accidentally exposed to hazardous material.

It is the commission's responsibility to ensure that the material safety data sheets and product labels related to trade secret claims are complete and accurate. Workers will then know the risks they face and will be able to use hazardous materials in ways that will not endanger their health and safety.

The trade secret facet of the commission's role in balance with the protection of workers' health and safety is of substantial financial benefit to the businesses whose trade secrets are protected. Those seeking an exemption from disclosure of confidential business information must provide the commission with the best actual or potential value of that information to their businesses or to their competitors. Based on claims processed by the commission in 2005-06, this value was estimated to be in the order of \$624 million.

The commission's tripartite council of governors is key to its governance. The governors represent industry, organized labour, the federal government and all provincial and territorial governments. The council acts as an advisory body to the commission and provides strategic advice and guidance. It is through the council that the concerns of stakeholders are expressed and appropriate means of resolving these concerns are identified.

With the full support of the council of governors, the commission undertook a comprehensive renewal program to modernize and streamline its operations and to address stakeholder concerns. Through the renewal process, a number of improvements in the operations of the commission were identified along with mechanisms to deal with stakeholder concerns. The changes identified have already been implemented except for three that require legislative amendments.

First, the act is to be amended to allow claimants to declare, with a minimum of supporting information, that the information for which they are seeking an exemption from disclosure is confidential business information. The act now requires claimants to provide detailed documentation on the steps they have taken to protect confidentiality and on the potential financial implications of disclosure.

This is an administrative burden on claimants and on the commission. The reality is that most changes for exemption are valid. Only four of the over 2,400 claims reviewed by the

commission have been denied. The commission will still, however, require full documentation when an affected party challenges a claim or when a claim is selected through measures set up to discourage false or frivolous claims.

The amendments will also permit the voluntary correction of materials safety data sheets and product labels when the commission finds them to be non-compliant. At present, the commission must issue formal correction orders even if the claimant is fully prepared to voluntarily make the necessary corrections.

Claimants feel that these orders imply reluctance on their part to fulfil their responsibilities for workplace safety. These orders are published in the *Canada Gazette* but do not become binding until 75 days after publication. Allowing corrections to be made without issuing an order will expedite the process of getting accurate safety information into the hands of workers.

Finally, the amendments would improve the appeals process by allowing the commission to provide factual clarifications to appeal boards as needed to facilitate this process.

Appeals of orders and decisions of the commission are heard by independent boards with three members drawn from labour, industry and government. Most appeals heard to date would have benefited from additional explanatory information from the commission, but this is not permitted under the current legislation.

When we first considered these amendments in the last session, there were reservations about the required length of time to bring the amendments forward. There were concerns that this might indicate some division among stakeholders about the appropriateness of the proposed changes. These concerns were put to rest in the hearings of the Standing Senate Committee on Social Affairs, Science and Technology where representatives of industry labour, as well as the provinces and territories appeared as witnesses and strongly voiced their unanimous support for the proposed amendments.

In summary, the amendments set out in this bill are very positive for workplace health and safety. They will simplify and streamline our administrative processes and they have the full and unanimous support of all stakeholders.

On motion of Senator Cowan, debate adjourned.

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Leave having been given to proceed to Order Nos. 51 and 52:

Hon. Lorna Milne, pursuant to notice of May 2, 2006, moved:

That the Standing Committee on Legal and Constitutional Affairs be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Lorna Milne, pursuant to notice of May 2, 2006, moved:

That the Standing Committee on Legal and Constitutional Affairs have power to engage services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

[Translation]

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her speech at the opening of the first session of the Thirty-ninth Parliament.—(6th day of resuming debate)

Hon. Céline Hervieux-Payette: Honourable senators, allow me to share with you my analysis of and thoughts about the Throne Speech. It seems to me that the Prime Minister is betting all his money on an electoral platform aimed at an unsophisticated electorate, which demonstrates his condescending attitude towards Canadians.

This Speech from the Throne can be summed up as follows: establish whistle-blowing or informing as a tool of governance; increase criminal sentences, which would place Canada second among democratic countries in terms of imprisonment; send cheques to Ralph Klein for family allowances, which are taxable by the way, using the budgetary surpluses accumulated under the good management of the Liberals; cut the GST, which benefits people who are better off; and cut hospital wait times even though the federal government runs only one hospital, the veterans facility in Sainte-Anne-de-Bellevue.

The Prime Minister's leadership is limited to an election platform that could have been put together by a high school student. In fact, the Forum for Young Canadians, who came to see us last week, probably could have done better. These young people would have included a few words on education and the need to prepare to be the best in a competitive world. But there was nothing on this — not a word.

The student from Beauce with whom I had a discussion could have explained to the Prime Minister that child care is not just a parking lot for children; it is place that prepares children for increasingly sophisticated learning.

In his speech, the Prime Minister did not elaborate much on Canada's role on the international scene. He merely paraded about to bolster his image with the Canadian soldiers based in Afghanistan.

• (1530)

But what about the mission in Haiti? What about the misery in Darfur? What about the important role the Prime Minister could play with the leaders of the Americas to reduce tensions with Chavez and company, or in a dialogue to improve the lives of people on our continent and strengthen the democratic process that my colleagues and I at the Inter-Parliamentary Forum of the Americas, which I have chaired for five years, dearly want to see happen?

What is most striking about the Prime Minister's message is the contradiction between what he says and what he does. What is striking is how he manipulates language in order to manipulate minds.

Take transparency, for example. Has he not just changed the rules governing media access to Parliament Hill and military bases? When the visuals are at odds with the government's message, it pulls the plug, hides things or covers them up. That is transparency, Harper-style. Some journalists are describing the Prime Minister's strategy of controlling messages at all costs as censorship. And did he not receive René Prével in secrecy, as *Le Devoir* reported yesterday? Hélène Buzetti of the newspaper *Le Devoir* wrote this:

This aura of secrecy surrounding Mr. Prével's visit is at odds with ceremonial welcome protocol used under the previous government

And all of the previous government's efforts to help welcome Haiti into the family of democratic nations.

This leads us to revisit his favourite theme: ethics. This word, whose roots are Greek and Latin, is about morals. The first definition for "ethics" in the French dictionary, *Petit Robert* states:

Feminine noun, philosophical in nature; the science of morals; rules of conduct.

Through this noble, exalted word, the Prime Minister has managed to enact legislation that will lead us to the lowest possible human impulse, namely, informing, which has become entrenched in our system of government under the guise of morals. I would like to take a closer look at the word "délation", informing, which my dictionary defines as follows:

Denunciation, slander, maligning; betray, sell.

I would like to conclude my definition with a quotation from Duhamel, who is cited on page 480 of the *Petit Robert*:

Develop, as do all dictatorships, a foul spirit of informing and discord.

Honourable senators, whether newly arrived, descended from many generations or of Aboriginal origin, Canadians do not want to live in a country of informers. I am saddened and deeply distraught by this audacity of proposing, in the name of ethics, legislation on informing that would reward informers, similar to certain American laws.

I would like to remind you of the fundamental principle of our democratic system, which recognizes that sovereignty belongs to all citizens. Canadians did not elect the Conservative government to put the future of our country in the hands of informers.

Since his election, the Prime Minister has repeatedly proven that he has mastered a third language: George Orwell's beloved Newspeak. Soon, it will be in the name of world peace and global stability that our army will be sent to take over Iran.

Honourable senators, the government must treat each and every one of us with respect, meaning that it must believe that every Canadian is a positive part of our society and that a leader can rely on the people, most of whom are upright, honest and capable of doing great things for their country and family. This democratic system has evolved over centuries and cost the lives of millions of people who were deprived of their freedom and even executed after being informed on. And now the government is proposing to create a system based on informing, the most hateful weapon of totalitarian regimes.

Honourable senators, the Prime Minister is not serious. The society he is proposing is a society based on fear and suspicion, a society where official propaganda is issued by the ministry of truth.

In his course on moral theology, Professor Michel Labourdette, OP, has this to say about informing:

Informing ... is not a legitimate government tool and cannot be used without baseness.

I ask you, honourable senators, can a person be competent, dedicated and generous and be an informer? To quote further:

Individuals in positions of authority are often tempted, it is true, by the idea of taking an unsuspecting person by surprise with the help of people connected to them acting under cover. It is easy, and what is easy is always tempting.

On April 4, 2005, French philosopher André Comte-Sponville discussed this issue in *l'Express*, a European weekly. He said informing is wrong because it is motivated not by a love of justice or a desire to protect victims or the weak, but by personal interest. For him, informing is contemptible regardless of any positive results it may sometimes produce.

Such measures also arouse the indignation of the media. In an article published in *Le Devoir*, Chantal Hébert described a previous bill, for which I did not vote, as a witch hunt.

During my research on this issue, which is of concern in many countries, I found that the leading model is the American one. Since 1978, our neighbours to the south have built informing into their governance structure. President Bush, the undisputed master

of Newspeak who seems to have inspired our own Prime Minister, constantly refers to the virtues of democracy while encouraging the spread of a sophisticated version of informing in the private sector under the Sarbanes-Oxley Law. Several other American laws touch on the issue, including the Ethics in Government Act and the Whistleblower Protection Act.

In his criminal law dictionary, Professor Jean Paul Doucet states that in a liberal democracy, the duty to denounce an offence must be reserved for especially serious cases. Only totalitarian leaders would have the masses live in a climate of denunciation. It goes without saying that all the measures attendant on our legal system entrusted to experts are the only ones we can accept as respecting the key words of the Canadian Constitution: peace, order and good government. We cannot have two legal systems — one for ordinary citizens and another for public servants. If we wish to paralyze the public service, promoting a system of denunciation is the best way to do so. This legislation will promote an attitude that cannot be changed by re-labelling it "accountability".

Honourable senators, the world of Harper and Bush, the world of "Big Brother is watching you" will never be the world of Canada.

Yesterday in his budget the Prime Minister chose to ignore the pleas of the provinces and parents and gave Canadian families a taxable family allowance.

Honourable senators, we must not be fooled. This is a backward measure in 2006. This sort of measure had its origins in the 1950s, when my mother received \$6 a month until her child reached the age of 16 — and it was not taxable. This money went to mothers, 80 per cent of whom stayed at home. However, a recent study by the C.D. Howe Institute in British Columbia showed clearly that, since the inception of the program of subsidized day care in Quebec, the number of women in the labour force has risen by 21 per cent. Very recent statistics show that a lot fewer people are on welfare in Quebec. The rate is double that of the other provinces. Parents in Quebec pay \$140 a month per child, whereas parents in British Columbia have to pay \$1,100 a month. So, Mr. Harper thinks he has found a solution by paying Canadians \$80 a month after taxes?

How can the Conservatives, the Bloc and the NDP support such a decision in 2006, when it is a flagrant infringement of provincial powers? Just remember the 1971 Victoria Conference. The whole debate began with the issue of family allowances. The conference foundered on the issue of family allowances because Quebec and its minister, Mr. Castonguay, a former Conservative senator, called for the total amount to be transferred to the province, since family policy is a provincial matter.

The Chrétien and Martin governments transferred directly to the provincial government, whether Parti québécois or Liberal, over \$1 billion so that the child benefit would be distributed according to Quebec family policy, and so that the Parti québécois previously with substantial funds could start up a dynamic day care program so preschool children in Quebec could receive an appropriate preliminary education in early childhood centres, be they public, private or in a family setting. Lots of choice for the parents.

This is the policy, entrenched for decades in most OECD countries, that the Liberal Government of Canada put forward with the provincial premiers, who wanted to support working women with young children.

• (1540)

Did you know that today 77 per cent of young Canadian women need child care services? Why then adopt a single-minded support policy that sets us back 50 years?

If we look at the full fiscal impact of this new regime, the biggest losers will be children. The child care program is not a luxury for Quebec households; it is an essential service. Only half of Quebec's children have a seven-dollar place in the current system and this \$120 a month will do nothing to restore equality among all the parents nor will it give parents a choice.

Honourable senators, I ask you to examine this measure that goes against the interests of Canada, which must prepare its young people to compete with the entire world.

According to OECD and Canadian economists, reducing the GST provides no tangible benefit except to those who buy consumer goods. We must ask ourselves, who will really benefit from this reduced consumption tax? Certainly not low-income families, who have limited buying power.

As a Radio-Canada commentator said, do you think theatres will cut the price of a movie ticket from \$12.00 to \$11.88?

It is worth noting that cutting the GST will cost small- and medium-sized businesses an average of \$575 to adjust their bookkeeping and their cash registers, according to yesterday's edition of the *Journal de Montréal*.

Obviously, wealthier families will benefit from the GST cut because they have more buying power, whereas reducing income tax would have helped all families more fairly.

Regarding access to medical services, given that the federal government has only one hospital, a veterans' hospital, at Sainte-Anne-de-Bellevue, will the provinces foot the bill and be reimbursed by the Harper government? And will the provinces now choose the easy option of sending patients out of the country to shorten waiting lists, or will they make private clinics a possibility?

I have also noticed great concern among artists with respect to the priorities the new Prime Minister announced in the Speech from the Throne. Currently, a dancer with the Grands Ballets Canadiens earns less than \$30,000 per year for a job she will only keep for about 15 years. This Speech from the Throne leaves out our artists, even though culture is the soul of our country and creativity its future.

In conclusion, honourable senators, the Speech from the Throne is an outline rather than an agenda for Parliament. The Conservatives have had 13 years to ponder policies that are in the best interest of Canadians. I am therefore both disappointed and surprised to find that their preparation to govern our country

seems so improvised. They do not have well-thought-out policies on culture, sport, agriculture, the environment, transportation, Aboriginals, linguistic duality, innovation and education, topics we were prepared to discuss as parliamentarians.

In short, this Speech from the Throne deserves a failing grade. It might get an F from high school students.

Honourable senators, I suggest the Prime Minister go back to the drawing board to flesh out his mini-Throne Speech.

[English]

Hon. Lowell Murray: Honourable senators, let me congratulate the mover and seconder of the Address in reply to the Speech from the Throne, Senator Champagne and Senator Segal, first, on having been chosen for this honour and, second, for having set such a good tone for the rest of the debate with their interesting and thoughtful speeches.

I congratulate His Honour as warmly as I welcome his appointment to that high office. His Honour, as you know, is a New Brunswicker educated in Rome, and by the Dominicans. He must, therefore, have an appreciation of fine food and wine. We all look forward to getting our knees under his dining room table as often as his modest budget will allow.

I join with His Honour in paying our respects to his predecessor, Senator Hays, who, with his wife Kathy Hays, always made us proud in representing the Senate, Parliament and Canada, whether at home or abroad.

I wish to say a word of thanks and farewell to those who are leaving positions of leadership in this place, in connection with which I should acknowledge the courtesy, cooperation and thoughtfulness that was always shown to me and to us in this little corner by Senator Austin and Senator Rompkey.

I wish also to say a word of congratulations and welcome to those who are arriving at positions of leadership here. The Senate will understand if, in the light of a friendship of more than 40 years, I single out the Honourable Leader of the Government in the Senate. Senator LeBreton brings to the Harper ministry, experience, background, temperament, talent and other fine qualities that I am sure will make her a considerable resource and asset to that government. I congratulate her and wish her well.

I also welcome the new Minister of Public Works and Government Services. Honourable senators should rejoice at his presence among us, for so long as he is here we can be sure that the needs of the Senate will receive priority attention from officials in the Department of Public Works and Government Services.

The first legislative initiative that was mentioned in the Speech from the Throne, and in fact the first government bill tabled in the other place, was the Federal Accountability Act. I look forward, as I am sure all honourable senators do, to following the debate on that matter when the bill arrives here.

I want to dwell for a minute or two on something many honourable senators have said in the past. In our system of government the essence of accountability is the accountability of the government to Parliament and, in particular, to the House of Commons. I found it a little ironic that only minutes after the Speech from the Throne was delivered here, members of the House of Commons returned to their chamber to pass immediately, unanimously and without debate a motion to fast-track the supply process to May 3 and to continue into the fiscal year 2006-07 the same travesty of an estimates process that we have had in this country for 40 years.

The estimates were deemed "to have been sent to the appropriate committees by April 25 and will be deemed" to have been returned by those committees to the House by November 10, whether or not any committee has ever cracked the book or examined a single vote in those estimates. Thus, the most ancient prerogative of Parliament, the power of the purse and how it is exercised in our time.

I know that there are special circumstances this year due to the fact that the supply cycle is somewhat out of whack, and that there are, even in normal times, "allotted days" on which the opposition can move votes of non-confidence and on which they can contest certain items in the estimates, but the power of the purse has become almost a dead letter in the House of Commons and in Parliament in general.

In all the millions of words that have been spoken and written about the sponsorship scandal the one question that has seldom been asked, and never answered in my observation, is: Where was the House of Commons when all this was going on? Where were the opposition parties? Where was the estimates process?

It is well and good for the Public Accounts committee of the House of Commons to take it on after the money has flown out the window and the Auditor General of Canada has reported. I contend that a serious and credible estimates process would have set some alarm bells ringing much earlier, and we probably would have avoided some of the excesses and extremes that occurred later. I believe it is a very sad thing that the supply process, the estimates process, the power of the purse, has become a shell in the other place.

• (1550)

One of the interesting things about all this is that in a minority House of Commons, the opposition parties have it within their power to change the rules and to restore a meaningful estimates and supply process. Will they do it? They will not. Why will they not do it? They will not because that place over there is programmed as tightly as any computer program could be to the convenience not just of the executive government but to that of members of Parliament generally. They need to know when a debate will be held, when a vote will be held and when they can go home. These are understandable human concerns but, the tension has gone entirely out of the system, and the result has made a sham of accountability and of the power of the purse in the other place.

[Translation]

Senators Champagne and Segal both sang the praises of Prime Minister Harper's new approach to federal-provincial relations. I am inclined, or nearly inclined, to share their enthusiasm. The Speech from the Throne alluded to Quebec's "unique place"

within our Confederation and to the fiscal arrangements that affect all provinces as well as the federal government. These allusions were also made by Mr. Harper in a remarkable speech that he gave in Quebec City on December 19, 2005, during the election campaign and, more recently, in Montreal on April 20. These issues piqued my interest, given my experience at both the federal and provincial levels.

I am somewhat encouraged by Mr. Harper's assurance of "open federalism". He promises to respect federal and provincial jurisdictions as they are set out in the Constitution, to allow provincial governments to play a greater role concerning international issues that fall under their jurisdiction, to work to eliminate the fiscal imbalance, to monitor the federal spending power, and to cooperate with the Council of the Federation in order to improve the operation of our federal system.

This agenda appears so promising of a new federal era that I am sorry that I have to point out a blatant inconsistency between the federal policy and the child care program. I would remind you that the previous government had signed agreements with each of the ten provinces. According to those agreements, the provincial governments promised to respect certain standards and guidelines, and federal funding in the order of \$5 billion over five years had already begun to be paid to the provinces.

The Conservative Party took a completely different approach to the issue during the election campaign and the new government decided to unilaterally repeal the agreements signed by the previous government, although this was a matter of provincial jurisdiction, using federal spending power to send a new child care allowance directly to parents of children under six.

The merits of the Liberal and Conservative party platforms on these issues do not concern me at the moment. There will no doubt be other occasions to debate these matters. However, in terms of federal-provincial relations, it is clear that the current government is preparing to commit the same abuse of federal spending power Liberal governments were always criticized for in the past.

In the spirit of his speech in Quebec City on December 19, in the spirit of the Speech from the Throne, in the spirit of his speech in Montreal on April 20, Mr. Harper and his government should not impose their new policies on the provinces without their consent.

Honourable senators, here we are for the third time since 1984 in a situation where there are many more senators in opposition than there are senators who are members of the government caucus. I had this experience on the government side during the two terms of the Mulroney government and on the opposition side during the early years of the Chrétien government. I have quite often expressed my view of how the Senate should behave, regardless of the political circumstances or the conditions in Parliament and I have not changed my position.

First, the Senate is not the place for the kind of excessive partisanship that leads to needless confrontation. I might add that the more we resemble the House of Commons, the lower our credibility with the public.

Second, and I agree with the comments by Senator Segal in this regard, we have to recognize that any initiative coming to us from the House of Commons in the near future will have had the approval of at least two political parties there.

I also wish to echo the comments by Honourable Senator McCoy in his excellent speech yesterday. I would be the last to claim that bilateralism in the House of Commons or even unanimity there, must be automatically accepted here in the Senate. We have always looked with scepticism — and rightly so — on their too frequent cooperation on issues involving the electoral map in which everyone in that House is in a position of conflict of interest. Still, I will say that particular respect must be given any initiative that appears to be the product of an honourable compromise between two, three or four political parties.

Third, in my humble opinion, continually delaying the legislative process is only justifiable in the most extreme circumstances.

Would I be right in thinking that my time is up?

[English]

The Hon. the Speaker: We have six minutes before I must put the adjournment motion, and Senator Murray has five minutes to continue.

Senator Murray: I can do this in far less time than that, honourable senators.

[Translation]

I cannot resist the temptation to talk briefly about electing senators.

We have heard that Mr. Harper intends to hold Senate elections when the next federal election is held. I will simply say that by giving up his right to appoint new Conservative senators, Mr. Harper is depriving himself of the opportunity to achieve a better balance in this chamber. I find it unhealthy in any parliamentary assembly that one political party should outnumber another three or four to one. This is unhealthy, and it is not conducive to the smooth running of our institution. The Prime Minister is depriving himself of the opportunity to create the critical mass he currently does not have in the Senate. In my opinion, Mr. Harper should fill the seven vacant seats in this chamber and any other seats that become vacant during his first mandate.

• (1600)

[English]

I take honourable senators at their word that the support for an elected Senate in the Conservative Party is virtually unanimous

across the country among all its supporters. Nevertheless, I am sure if they look really hard, they may be able to find in Newfoundland and Labrador one Conservative, in Prince Edward Island another, in New Brunswick and Nova Scotia one each, one in Quebec and two in Ontario who would be willing to place their principles in abeyance for the greater good and make the sacrifice and accept appointment to this place.

If — for example, in Ontario — you cannot find two, go to Nova Scotia. You may be able to find someone willing to invest \$4,000 in the property qualification to sit proudly as a senator from Ontario.

Hon. Leonard J. Gustafson: Would the honourable senator accept a question?

Senator Murray: Certainly.

Senator Gustafson: What about regional representation? I think it was Peter Lougheed who said that it was not only important to have an elected Senate but to look at this business of regional representation.

There are some provinces that have the population, or less population, than the City of Regina, but they have four representatives.

Senator Murray: My friend has given me a great opportunity to express a point of view, which I think I have done before, that the worst thing about the Senate is not the fact that its members are appointed; it is the gross under-representation of Western Canada, especially British Columbia. Without going into a lot of background, I have consulted privately with various senators and am quite willing, at an early date, to bring in a motion to get the sense of the Senate or even a resolution to amend the Constitution to provide, first, that British Columbia be constitutionally recognized as a region for senatorial purposes, as it was recognized by Parliament at the Chrétien government's initiative in the regional vetoes bill; and, second, that the three Prairie provinces then be recognized as a region.

The implications of that will be clear to my honourable friend. It will be a rather major increase in the representation of British Columbia. I see no principled reason why that should not be done. I think we ought to have a debate either in the sense of a Senate motion, which I would be glad to introduce, or in a resolution to amend the Constitution to that effect.

On motion of Senator Comeau, debate adjourned.

The Senate adjourned until Thursday, May 4, 2006, at 1:30 p.m.

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CANADA

Debates of the Senate

1st SESSION

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39th PARLIAMENT

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VOLUME 143

•

NUMBER 10

OFFICIAL REPORT
(HANSARD)

Thursday, May 4, 2006

THE HONOURABLE NOËL A. KINSELLA
SPEAKER

CONTENTS

(Daily index of proceedings appears at back of this issue).

[Translation]

OFFICIAL REPORT

CORRECTION

Hon. Eymard G. Corbin: Honourable senators, in reviewing the statements I made yesterday during a point of order, I noticed that the *Debates of the Senate* had omitted a sizeable chunk of the speech I gave on this point of order. I began by quoting rule 18(1) pertaining to the authority of the Speaker of the Senate, one of the basic principles of the Rules stating:

The Speaker shall preserve order and decorum in the Senate. In doing so the Speaker may act without a want of order or decorum being brought to his or her attention. Furthermore, the Speaker shall be authorized to act on his or her own initiative to interrupt any debate to restore order or to enforce the *Rules of the Senate*. In the case of grave disorder, the Speaker may suspend the sitting of the Senate for a period not to exceed three hours.

I also said:

Let us set the last sentence aside and focus on the first ones. To me, order is primarily the order established by the Routine Proceedings as listed in the Order Paper and Notice Paper.

This quotation and these statements do not appear in yesterday's debates. This may be an omission, an oversight or a deliberate editorial decision. I am not in a position to find out right now, but I do not see why the text of the Rule that I brought the attention of honourable senators should not be included. If there has been a change in *Debates of the Senate* editorial policy with respect to the verbatim account of statements made in this chamber, I would like us all to know about it. Thank you.

The Hon. the Speaker: Honourable senators, does anyone else wish to speak on this subject? Is leave granted, honourable senators?

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I see no reason to object to Senator Corbin's request. We will listen to the recordings of yesterday's debate again. If anything has been left out, we will rectify the situation.

[English]

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, if this is not a controversial matter, I wonder if we could not agree to make the change that has been discussed by Senator Corbin, simply to correct the record.

The Hon. the Speaker: I thank the Honourable Senator Hays for his suggestion. It seems to me that would be a way that we make the correction, and I see assent from Senator Corbin. Therefore, it is agreed that that correction will be made in that manner.

Thank you, honourable senators.

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, May 4, 2006

The Senate met at 1:30 p.m., the Speaker in the chair.

• (1340)

Prayers.

Today, May 4, commemorates the last day of that occupation. This is a solemn day of remembrance when the Dutch people eat very little and remember their fallen comrades and the allies who died. Tomorrow they will celebrate again the first day of freedom. They have not forgotten; we should not forget.

SENATORS' STATEMENTS

[Translation]

WORLD WAR II

LIBERATION OF THE NETHERLANDS

Hon. Joseph A. Day: Honourable senators, who among us has not noticed the wonderful blossoming tulips that mark spring here in the National Capital Region? However, the flowering tulips mark much more and symbolize much more than the beginning of spring.

Many of us learn at an early age the story of Crown Princess Juliana who was required to leave her home in the Netherlands to stay in Canada during wartime. In January 19, 1943, in a room at the Ottawa Civic Hospital, which was specifically decreed by this Parliament to be Dutch territory, the princess gave birth to her third daughter, Margriet.

In the fall of 1945, Princess Juliana presented the City of Ottawa with 100,000 tulip bulbs in appreciation of the safe haven which Holland's exiled Royal Family received during the Second World War. The Dutch Royal Family has continued that tradition by giving to the City of Ottawa 10,000 tulip bulbs, annually.

These gifts and the wonderful tulips that blossom from those bulbs represent much more again than a thank you for providing a safe haven. The tulips are also a recognition of the sacrifice made by so many Canadian soldiers and airmen, in helping to liberate the Netherlands from Nazi occupation. More than 200,000 Canadians fought in the campaign to end the Second World War, and the occupation of the Netherlands, and the freedom of the Netherlands was considered one of the critical points leading to the end of the war in Europe on May 8, 1945.

The Dutch people cheered our soldiers as one town after another was freed. The victory was not achieved without a price. Approximately 7,600 Canadians gave their lives so that the people of the Netherlands could live in freedom again. Many of those fallen soldiers have been laid to rest in Groesbeek cemetery in the southeastern part of the Netherlands, near Nijmegen. Any of my colleagues who have seen *A Bridge Too Far* have seen one part of that terrible battle that took place to free the Netherlands.

THE HONOURABLE JEAN-ROBERT GAUTHIER

CONGRATULATIONS ON HONORIFIC OF SCHOOL NAMING

Hon. Andrée Champagne: Honourable senators, the francophonie is doing as well as it is in 21st century Canada because of the hard work and determination of a few of our champions who have toiled selflessly outside the traditional bastion of Quebec.

They are hard at work in their various corners of our great country, from Acadia to British Columbia, giving francophone groups more visibility, increasing their numbers and ensuring that their activities increase in both quantity and quality.

Here in the national capital region and in all of eastern Ontario, when the word "francophonie" is uttered, the name of Senator Jean-Robert Gauthier comes to mind.

I came to know our former colleague in the green chamber. For years we teamed up at what was then called the Assemblée internationale des parlementaires de langue française. I must admit I was somewhat disappointed when I arrived here and realized that he had already been forced to retire.

I know it must sound like I am talking about him as though he were no longer with us, but, rest assured, he is very much still alive. That is why I am thrilled he is being paid tribute while he is still around.

I can imagine him smiling last week when the Conseil des écoles catholiques du Centre-Est de l'Ontario announced that a new school would bear the name of Senator Jean-Robert Gauthier.

This French-language school will receive some 400 students in 17 classrooms in an area of town where the francophone population is distinctly in the minority, in Barrhaven.

My dear Jean-Robert, we are all very pleased with the honour being bestowed on you. You deserve it. For a long time to come your name will be synonymous with the francophonie and its survival.

[English]

PARLIAMENT

FLYING OF PEACE TOWER FLAG AT HALF MAST IN HONOUR OF SOLDIERS WHO DIE IN WAR

Hon. Jane Cordy: Honourable senators, I wish to speak this afternoon on what I believe is a very serious issue. This government's decision to not allow the nation's flag to fly at half mast atop the Peace Tower to honour Canadian soldiers killed in action is misguided. It is clearly contrary to the wishes of those who own the Peace Tower, the Canadian people.

I would like to quote from an April 27 editorial in Nova Scotia's largest newspaper, *The Halifax Chronicle-Herald*:

People are angry that the government appears to be putting propaganda considerations — de-emphasizing casualties in Afghanistan — above its duty to honour fallen soldiers. They don't buy the standard that it's appropriate to routinely half-mast the Peace Tower flag to mourn public officials or disaster victims, but not ordinary Canadians who die for their country.

Most of all, they don't want the government taking away their right to honour our fallen at the Peace Tower.

I do not believe that honouring our fallen soldiers by flying the flag at half-mast will diminish the importance of the Remembrance Day ceremonies. This is the message that I have received from Nova Scotians who have emailed me and spoken to me.

To again quote from the *Halifax Chronicle-Herald* article:

Defence Minister Gordon O'Connor has argued that creating a new tradition of flag lowering at the Peace Tower is disrespectful of those who died in the past conflicts without this honour. But societies, and the ways they express their collective feelings, change and this is no reflection on the past. Paying respects to soldiers as individuals when they are killed in no way detracts from the honours we pay on Remembrance Day to all those who have fallen for Canada.

Rather, every flag lowered for individuals who are killed in our own time is a sacred link in our collective memory with all those who have given their lives for our country. Every Canadian whose family has ever lost a loved one in military action will make that connection when the flag flies respectfully at half mast from the Peace Tower.

• (1345)

My father served in the Canadian Forces in World War II. My brother has served in Afghanistan and is expecting to return there later this spring. As I have stated before in this chamber, those who serve and have served in our military are exceptional men and women who deserve our respect. No one deserves our respect more than those who have given their lives for our country.

Honourable senators, I do not understand why this Conservative government is willing to deny our nation the right to collectively honour those who have given their lives by flying the flag at half-mast on the Peace Tower, a Peace Tower which belongs to all Canadians.

MR. GORDON L. BARNHART

CONGRATULATIONS ON APPOINTMENT AS LIEUTENANT-GOVERNOR OF SASKATCHEWAN

Hon. David Tkachuk: Honourable senators, on April 28, Prime Minister Stephen Harper appointed Dr. Gordon Barnhart as Saskatchewan's newest Lieutenant-Governor, and in doing so he said:

Dr. Barnhart is an accomplished academic with a laudable record of public service. He has loyally served his province and his country in a number of roles over the years.

As clerk of Saskatchewan's provincial legislature for 20 years, this native of Saltcoats helped coordinate parliamentary activities, such as Royal Assent to bills and the opening of new legislative sessions. From 1989 to 1994, he served here as Clerk of the Senate and the Clerk of the Parliaments, during which time I had the personal pleasure of having him preside over my official appointment to the Senate as well as the portraits at my swearing-in ceremony in 1993.

Prior to his appointment as Lieutenant-Governor, Dr. Barnhart served as Professional Affiliate with the Department of Political Studies at the University of Saskatchewan, the same university from which he earned his B.A. and Ph.D. He was an associate director between 1997 and 2000 and university secretary from 2000 until present. The University of Saskatchewan is a world-class university and of course is the landlord for the John Diefenbaker archives.

Dr. Barnhart has authored several books and articles on topics ranging from Saskatchewan history to democratic governance, including, most recently, a book entitled *Saskatchewan Premiers of the Twentieth Century*. He has also worked with government agencies overseas on projects to strengthen democratic practices in Vietnam, Russia and South Africa.

Dr. Barnhart's appointment is the latest in a lifetime of earned special honours reflecting his outstanding achievements for public service, honours which have included the Queen's Golden Jubilee Medal, the commemorative medal for Canada's one hundred and twenty-fifth anniversary, and the 1984 Citizen of the Year Award by the Parks and Recreation Department of the City of Regina for community volunteer work.

Dr. Barnhart and his wife, Naomi, have three children and three grandchildren.

Honourable senators, knowing Dr. Barnhart's commitment to public service in my home province, I also know that he is an honourable choice for the role of Saskatchewan's Lieutenant-Governor. Please join me in congratulating him.

[Translation]

UNIFEM CANADA

CONGRATULATIONS TO CAROLYN MCASKIE ON RECEIVING SEVENTH ANNUAL AWARD

Hon. Mobina S. B. Jaffer: Honourable senators, last week on April 26, I had the honour of presiding over the 7th Annual UNIFEM Canada award gala ceremony and dinner. I was very pleased with the success of the evening, which was attended by a great many people who came to support the efforts of UNIFEM in promoting the equality of women throughout the world.

It was also a great pleasure to pay tribute to the recipient of the annual UNIFEM Canada award, Carolyn McAskie.

Under Secretary-General of the United Nations and Special Representative of the Secretary General in Burundi, Ms. McAskie has been promoting women's issues internationally for quite some time. While employed by the Canadian government, Ms. McAskie worked in the Commonwealth Secretariat, was Canadian High Commissioner to Sri Lanka, and was CIDA Vice-president for Africa. She led the charge to have women's issues taken seriously, established the Women in Development Division in the Commonwealth Secretariat, and was one of the senior Canadian negotiators at the 1985 Women's Conference in Nairobi.

Since joining the United Nations, Ms. McAskie has worked relentlessly to give women a voice and to promote their access to all levels.

She broadens horizons for women. She gives them the opportunity to be heard and to gain precious experience, which they in turn can use to help others. UNIFEM chose to pay tribute to Ms. McAskie especially for her work in advancing gender equality in three areas: the international scene, the economic arena, and the promotion of peace and security.

Ms. McAskie talked about experiences she had during her career in which she worked to further empower women and increase gender equality and fought against the inequalities that continue to exist between men and women and the fact that women are inevitably on the losing side.

She also spoke about the challenges of involving women in the peace process in Burundi. Progress has been made. The new constitution of Burundi reserves 30 per cent of the seats in the legislative assembly for women. As part of the UN mission, Ms. McAskie made various innovations such as creating a team to actively promote gender equality and creating an ethics officer position with responsibility for preventing sexual exploitation. When she left Burundi, no cases of sexual exploitation by peacekeepers had been reported.

I would also like to personally congratulate Sue McGarvie and the board of UNIFEM Canada for the amazing job they have done in the past year to promote women's equality on the

international scene. Their efforts to raise awareness of UNIFEM in Canada and their activities are incredible, and I know that they will continue.

• (1350)

YOUNG AMBASSADORS CANADA COMPETITION

Hon. Lucie Pépin: Last Thursday, we hosted 13 candidates in the Young Ambassadors competition. The aim of the competition is to select one young girl from among the candidates to serve as a model for young people 13 to 18 years of age.

In addition to having good character, talent and success in school, the winner is expected to embody the values of self-fulfillment, self-esteem, perseverance and determination.

The competition is most interesting. While it demands a lot of the participants, they in turn will benefit from meeting people who will have a positive impact on their life. They will also have experiences that will enable them to reveal their extraordinary potential. Their visit to Ottawa is part of this learning program.

I had the pleasure of sharing lunch with these young girls and their chaperone. It was really delightful to see these girls, who come from every ethnic background and are determined to play their role as citizens to the fullest.

I was very impressed by what they had to say. They were also well informed on the issues of current events that interested them. I can tell you that they had very definite positions on such things as street gangs, sentencing of pedophiles and the age of sexual consent. I was most impressed.

I am speaking about this today in order to make this fine initiative known and, especially, in order to pay tribute to the young girls, their parents and the president and founder, Marie-Jeannine Mayard, and their goodwill, which made this great and exciting project possible. I will see them at the grand finale in Saint-Léonard on May 13.

ROUTINE PROCEEDINGS

COMMISSION OF INQUIRY INTO THE SPONSORSHIP PROGRAM AND ADVERTISING ACTIVITIES

SECOND REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the second report of the Commission of Inquiry into the Sponsorship Program and Advertising Activities, entitled: *Restoring Accountability—Recommendations*.

• (1355)

[English]

CANADA ELECTIONS ACT INCOME TAX ACT

BILL TO AMEND—REPORT OF COMMITTEE

Hon. Lorna Milne, Deputy Chair of the Standing Senate Committee on Legal and Constitutional Affairs presented the following report:

Thursday, May 4, 2006

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

SECOND REPORT

Your Committee, to which was referred Bill C-4, An Act to amend the Canada Elections Act and the Income Tax Act, has, in obedience to the Order of Reference of Wednesday, May 3, 2006, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LORNA MILNE
Deputy Chair

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

On motion of Senator Di Nino, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

[Translation]

APPROPRIATION BILL NO. 1, 2006-07

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-8, for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Comeau, bill placed on the Orders of the Day for second reading two days hence.

[English]

FOREIGN AFFAIRS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON MATTERS RELATING TO AFRICA

Hon. Hugh Segal: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Foreign Affairs be authorized to examine and report on the development and security challenges facing Africa; the response of the international community to enhance that continent's development and political stability; Canadian foreign policy as it relates to Africa; and other related matters;

That the papers and evidence received and taken during the First Session of the Thirty-eighth Parliament be referred to the committee;

That the Committee shall present its final report no later than October 31, 2006 and that the Committee shall retain all powers necessary to publicize the findings of the Committee as set forth in its final report until November 30, 2006.

[Translation]

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY ISSUES RELATED TO FOREIGN RELATIONS

Hon. Hugh Segal: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Foreign Affairs, in accordance with rule 86(1)(h), be authorized to examine such issues as may arise from time to time relating to Foreign relations generally; and

That the committee report to the Senate no later than March 31, 2008.

• (1400)

[English]

BUDGET 2006

NOTICE OF INQUIRY

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I give notice that on Tuesday, May 9 2006:

I will call the attention of the Senate to the budget presented by the Minister of Finance in the House of Commons on May 2, 2006.

ISSUES ON FOREIGN TRADE

NOTICE OF INQUIRY

Hon. Peter A. Stollery: Honourable senators, pursuant to rule 57(2), I give notice that two days hence:

I will call the attention of the Senate to issues in foreign trade.

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I would like to draw to your attention the presence in our gallery of a former colleague, Senator Douglas Roche.

Hon. Senators: Hear, hear.

QUESTION PERIOD

PUBLIC WORKS AND GOVERNMENT SERVICES

CONTACTS AS CAMPAIGN CO-CHAIR OF CONSERVATIVE PARTY OF CANADA

Hon. James S. Cowan: Honourable senators, my question is for the Minister of Public Works and Government Services. Now that the government has introduced its accountability act, it has been making much noise about its dedication and commitment to transparency and openness.

According to a newspaper article in the *Ottawa Citizen* on March 6, during the election campaign our new colleague, Senator Fortier, accepted cheques on behalf of the Conservative Party from supporters in Quebec. The article goes on to describe how Senator Angus — who knows a thing or two about fundraising — said that this is normal practice and that Senator Fortier was merely a mailbox.

Honourable senators, the person whom Senator Angus so eloquently described as a mailbox, is now the Minister of Public Works and Government Services for Canada, a department which awards \$13 billion in procurement contracts on an annual basis.

In the interests of openness, transparency and the avoidance of any appearance of conflict of interest, will the minister table in the Senate a list of the persons and companies from whom he either received or solicited contributions during that campaign?

Hon. Marjory LeBreton (Leader of the Government): I will take that question. The Minister of Public Works did no such thing.

Senator Cowan: I am sorry; I could not hear the government leader's response.

Senator LeBreton: My response is that the newspaper article is erroneous. The Minister of Public Works did no such thing.

Senator Cowan: He neither received nor solicited contributions. Is that the answer?

Senator LeBreton: That is correct.

Senator Prud'homme: There are many bagmen on both sides.

BUDGET 2006— POSSIBLE ACQUISITION OF ICE BREAKERS

Hon. Bill Rompkey: Honourable senators, my question is also for the Minister of Public Works. I want to draw his attention,

and the attention of Senator Prud'homme, to an article in *The Globe and Mail* this morning under the headline "O'Connor denies rift with Hillier delaying military purchases." The article goes on to say:

Speculation about the rift between the two has swirled in defence circles for weeks. It was further fuelled by Tuesday's federal budget, which affirmed \$5.3-billion in new military spending over five years, but did not mention a single imminent equipment purchase.

The article goes on to say:

It does not mention a campaign promise to buy three armed icebreakers for the Arctic Ocean...

I want to draw that to the minister's attention because I was quite pleased to hear Mr. Harper's promise on December 22, 2005. He promised that if elected he would see to the purchase of three armed naval Arctic icebreakers. There was no mention of these icebreakers in the budget. The minister understands that these ships cannot be built overnight. They are part of a multi-year effort. They are very important for the security of the Arctic. Therefore I ask the minister why were these important items not in the budget? I ask him when will the tenders be called, when will the contract be let, and when will Madam Fortier break a champagne bottle over the first bow?

• (1405)

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for his question. I, too, saw the article.

Minister O'Connor has characterized as "absolute mischief" any reports that he and the Chief of Defence Staff are at odds. Yesterday, Minister O'Connor said that General Hillier is a fine general and a great Chief of Defence Staff.

Senator Rompkey: Honourable senators, with all due respect, the thrust of my question was directed to the Minister of Public Works and Government Services. The thrust of my question was not about the rift, but about icebreakers. That is what my question is about. That is my interest. It is something which falls under the purview of the Minister of Public Works.

I also wish to draw to the attention of the minister a column which appeared today in *The Globe and Mail* by Jack Granatstein, a respected Canadian historian, particularly on military matters, who wrote:

It's critically important to protect our sovereignty in the Arctic. But how? With the icebreakers promised during the election? Or with a few more Canadian Rangers doing snowmobile patrols? We don't know.

This is a matter which falls under the purview of the Minister of Public Works. He will do the specs, call for tenders and award the contracts. Those matters lie purely within his department, and the question is directed to him.

Why was this item not in the budget? What is the intention of the government? Will the promise to acquire these icebreakers be kept or not?

Senator LeBreton: Honourable senators, this is a Defence question and a Finance question. The Minister of Public Works will only get involved with this issue when the decision has been made by National Defence. Obviously, he cannot respond to matters because —

Senator Rompkey: It is his responsibility.

Senator LeBreton: No. It will be handed to his department when a decision is made by National Defence.

The increased funding provided in Budget 2006 means that the Canadian Forces can now proceed with their plan to acquire new equipment for the Canadian Forces. Budget 2006 will increase the DND budget by \$5.3 billion over the next five years. This will allow the Canadian Forces to acquire the equipment needed to support a multi-role combat-capable maritime, land and air force contingency, among other things.

NATIONAL DEFENCE

BUDGET 2006—ACQUISITION OF CAPITAL EQUIPMENT

Hon. Bill Rompkey: Honourable senators, if the Leader of the Government in the Senate insists on answering questions, perhaps she can answer this question: How will the government provide tactical aircraft, long-haul aircraft and three Arctic icebreakers at a cost of \$2 billion each out of \$5.3 billion? Can the minister explain that to me?

Hon. Marjory LeBreton (Leader of the Government): First, honourable senators, that is a question that I will hand over to the Minister of National Defence. However, I hasten to add that this was our first budget. I dare say that after being here for less than 100 days this government has accomplished much more than three or four budgets of the previous Liberal administration.

Some Hon. Senators: Hear, hear!

FISHERIES AND OCEANS

ARCTIC SOVEREIGNTY

Hon. Willie Adams: Honourable senators, I wish to continue with the subject matter of the question asked by Senator Rompkey. I remember that around November and December of last year, when Mr. Harper was campaigning in Winnipeg, I was watching television at the time and he was talking about Arctic sovereignty. He promised that, if elected, he would build two icebreakers to protect our sovereignty in the Arctic. As well, he promised that his government would build a deep-water port in Iqaluit.

This area is patrolled by Rangers, mostly from Nunavut. This year, they covered over 1,300 kilometres in their snowmobiles to protect Arctic sovereignty, in particular Hans Island, which Denmark wants to claim as their own. As a result, we now want to protect our sovereignty. The people living in Nunavut are wondering what will happen in the future. As a result of climate change, some business people are speculating that within 10 to 20 years ships will be plying those Arctic waters. The people of

the area are concerned about having big icebreakers come through the area and how they will be able to continue hunting while the ice is being broken up.

We should find out what Mr. Harper meant when he promised that his government would protect Arctic sovereignty.

Just a couple of weeks ago, former Justice Tom Berger issued a report concerning the Inuit language education system. We now want to teach more Inuit language courses. This matter, along with Arctic sovereignty, is a matter that we should be looking into.

• (1410)

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Adams for his question. I certainly do remember the event. I was there myself. It was our last campaign event before the Christmas break. It was in Winnipeg and we had maps of Canada's North.

There is no question that the whole issue of Arctic sovereignty is very important to the Prime Minister and to our government. As I said in response to an earlier question, this budget was our first, and we intend to be around for some time.

Conservatives have a history with the issue of Arctic sovereignty. I have been around long enough to remember Mr. Diefenbaker's Roads to Resources program for opening up the North. If I remember correctly, Mr. Pearson, then Leader of the Opposition, derided the program, calling it Roads from Igloo to Igloo, which I thought then, and think now, was a facetious statement.

There is no question that the government will take the issue of Canadian sovereignty in our North very seriously, unlike the past government, under which ships entered our North even without our knowledge. Our relationship with our neighbour to the south was so bad that they did not find it necessary to let us know of their presence there.

I assure Senator Adams that Arctic sovereignty is a key component of our commitment to Canadians.

THE ENVIRONMENT

KYOTO COMMITMENTS

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I have a question for the Leader of the Government in the Senate on the environment, to clarify the government's position on it.

The Environment Canada website has for some time contained the opening sentence:

The Kyoto commitment for Canada is one of the greatest and most ambitious in the world. The Government of Canada presents to all Canadians *Moving Forward on Climate Change: A Plan for Honouring our Kyoto Commitment*.

Can the minister confirm that is the policy of the new Government of Canada?

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Hays for that question. Unlike the previous Liberal government, which talked a lot about environmental issues while greenhouse gas emissions rose 30 per cent above targets, our government is committed to concrete actions that will deliver real results here in Canada. We will provide Canadians with a made-in-Canada plan, which will mean that taxpayers' dollars spent on this endeavour will stay in Canada. As our new Minister of the Environment, Rona Ambrose, has said, this plan will invest in Canadian solutions, Canadian technology and Canadian communities.

I will take the specific question about the website as notice. There are many things on government websites. We have been in power for less than 100 days. Rome was not built in a day.

Senator Hays: Honourable senators, I will quote once again from the website to highlight the difficulty Canadians are having with the position of the Government of Canada vis-à-vis the honouring of Kyoto commitments.

The website goes on to say:

Climate change is a global challenge, and the Kyoto Protocol is the only global mechanism with targets to reduce greenhouse gas (GHG) emissions. Canada is a strong supporter of the Kyoto Protocol.

The operative words are "global mechanism."

• (1415)

My honourable friend has repeated the language of the Minister of the Environment to the effect that Canadian tax dollars will stay in Canada to be spent on our environment right here at home. This is a laudable thing to do, but it is totally inconsistent with Canada's commitment under the Kyoto Protocol.

The Kyoto Protocol includes this framework: a clean development mechanism, which is a way of earning credits in an economic instrument by investing in emissions reduction projects in developing countries; joint implementation, which is a way for Canada to earn credits by investing in emissions reduction projects in developed countries working toward meeting the Kyoto target; and finally, trading, wherein the mechanism calls for international trading in these credits.

How can Canada say it is committed to the Kyoto Protocol? It may be a matter of simply changing the website, but it is also a matter of great interest to Canadians if the answer is that we no longer respect what is at the heart of the Kyoto Protocol; namely, the mechanisms I have just set out.

How can this be done with the so-called made-in-Canada approach, where virtually all three main structures of this multinational agreement we have entered into would not fit into the discipline of not spending Canadian tax dollars on anything outside of Canada?

Senator LeBreton: Honourable senators, the way to answer this question properly is that we are committed to support climate change measures. The Kyoto agreements have not worked. Who do we turn to for proof? We turn to the previous Liberal

government. The Liberals were lecturing other countries in the world on emissions as Canada's own emissions rose over 30 per cent.

The honourable senator stated that this issue is of global concern, and certainly it is, but surely our government is within its right to investigate and pursue viable changes in the area of climate change. He speaks of global concerns, but how are we to meet our objectives when the biggest polluters in the world — India, China and our neighbour to the south — are not participants in the Kyoto Protocol?

Senator Hays: My point is that the Government of Canada intends to withdraw from the Kyoto Protocol, which will be controversial and Parliament could have a role to play. However, if that is the government's position, then it should be more straightforward than indicated on the website of Environment Canada and by the rhetoric of the government.

Clearly, this is an important issue for Canadians. In a Globe Scan poll published in late April, 9 out of 10 Canadians stated that climate change is a serious problem. The United States is leading a new multilateral effort, which I understand will be discussed with Prime Minister Howard of Australia when he comes here in the near future. The AP6 group, as it is called, includes signatories to Kyoto such as China, which does not have a target for reducing emissions for the good reason that, as a developing country, that target is left primarily to 2012, in the first phase, to developed countries.

Is the rhetoric I hear from the government leader and I read consistent with a desire to take Canada in a new direction, by joining the AP6, as opposed to a continuation of efforts to address the problem in the multinational framework of Kyoto?

My friend's comments about failures and about not meeting targets aside, the new government of the day has an obligation. It knows that 9 out of 10 Canadians care about this issue. If it is intent on changing horses, then it should, at the very least, indicate its plans in detail. Will it abandon or rescind our commitment to Kyoto and join the AP6? As early as this government is in its mandate, I think the time has come for us to know the answer to that question.

• (1420)

Senator LeBreton: I thank the honourable senator for his very legitimate question. Certainly, everyone realizes that climate change is a huge issue. In respect of the government's plans on climate change, I would say "stay tuned" because those plans will be forthcoming.

COMMISSION OF INQUIRY INTO AIR INDIA FLIGHT 182

REMUNERATION RATE FOR COMMISSIONER

Hon. Norman K. Atkins: Honourable senators, my question is for the Leader of the Government in the Senate. I commend the government for the appointment of former Justice John C. Major to head up the commission of inquiry on the bombing of Air India Flight 182. If *The Globe and Mail* reporting is correct, then I have a problem with his hourly rate for services of \$400-\$600. Would it

not have made more sense for the government to negotiate a per diem rate? This inquiry might continue for months or even a year? For a potentially lengthy inquiry, I find the rate excessive.

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Atkins for his question. I was pleased when the Prime Minister announced the commission of inquiry into Air India Flight 182. Certainly, those who were directly affected are appreciative and supportive of the announcement.

With regard to Mr. Justice Major, no one in this place would question his qualifications. He will work part time on the commission of inquiry, which is expected to be highly focussed and to last no more than one year. The hourly rate is appropriate for a jurist of his high standing. While the rate might seem high to Canadians, it is less than what a lawyer of comparable experience would charge in the private sector. One need only look at the costs involved in the residential schools issue for a comparison.

Mr. Justice Major, as the chief commissioner of the inquiry, is eminently qualified and has tremendous experience not only on the Supreme Court but also as a lawyer on previous commissions of inquiry. Judging from the response by the people in the community that were the most severely affected by the Air India bombing, including all Canadians, we could not have made a better choice than Mr. Justice Major. He is worth every cent that he will be paid.

PRIME MINISTER

NEW BRUNSWICK—ELECTION PROMISE TO CLEAN UP SAINT JOHN HARBOUR

Hon. Joseph A. Day: My question is for the Minister of Public Works and Government Services. Saint John, New Brunswick, is a beautiful city at the mouth of the Saint John River. It was discovered in 1604 by Samuel Champlain four years before he went to Quebec. Saint John was well known for its shipbuilding industry, but that is behind us now. It once had a wonderful winter port, but when the federal government opened the St. Lawrence River, the port was closed.

Today, the harbour in Saint John is important for the tourist trade. During the recent election campaign, the now Prime Minister Harper was in Saint John where he promised to match the promise of former Prime Minister Martin and his government to help with harbour clean-up in the amount of \$44 million. The people of Saint John were saddened by Budget 2006, in which there is no mention of funds for harbour clean-up. There is no mention of the harbour area in the Canada Infrastructure Fund for the coming year. There is no replenishment of that fund. The people of Saint John need reassurance that this government will meet the commitment that the Prime Minister gave during the election campaign.

• (1425)

Hon. Marjory LeBreton (Leader of the Government): I will take the question of Senator Day as notice. The Prime Minister did go to Saint John after the election and met with the mayor. He took the first steps on the Saint John harbour clean-up, but the

honourable senator will forgive me if I point out that the shipbuilding industry in Saint John flourished mightily under the former Conservative government.

Senator Day: The honourable senator is quite right, the Prime Minister was in town with the mayor of the City of Saint John and the premier. In fact, Prime Minister Harper was with the premier last weekend too, so the Prime Minister has been in New Brunswick on a regular basis. We appreciate that.

Prior to the election, Prime Minister Harper promised \$44 million for the clean up of the Port of Saint John, however when he came back to Saint John after the election he made an announcement for \$2.83 million. It will cost \$88 million to clean up the port. The funds promised came out of the Municipal Rural Infrastructure Fund which is intended for hockey rinks and community centres; it was never intended for an \$88 million clean-up project. That is where they took the money. There will not be money for all those small municipalities that were looking forward to having their rinks and community centres fixed up.

When can we expect more funds for the Infrastructure Canada Program so that the Prime Minister will have somewhere to go to meet his promise?

Senator LeBreton: Honourable senators, I will take that question as notice as well. The honourable senator is quite right when he says that the Prime Minister has a special appreciation for New Brunswick because he has ancestors from that region.

NATIONAL DEFENCE

LOCATION OF PROPOSED NEW RECRUITS

Hon. Roméo Antonius Dallaire: Honourable senators, the budget spoke of capital acquisition for defence and indicated that with each project there would be specific funding brought online for these projects. It is interesting to note that in the 1987 white paper and the subsequent budget, at that time the Conservative government said that it would bring in capital equipment projects to modernize the military and it would be done through specific funding called BUMPS. There were no bumps in the road, there were just holes because that whole white paper was destroyed by the same government within two years and never funded.

My specific question is in regard to the budget and the indication, both in statements and the budget, that it is the intention of the government to increase the size of the forces by 13,000 regulars and 10,000 reservists. Approximately two years ago before the Standing Senate Committee on National Security and Defence I proposed an additional 11,000 regulars and 8,000 reservists in order to alleviate the enormous stress and demands on the forces and to give them more depth.

My question is for the Minister of Defence and perhaps the Minister for ACOA: Where will you put the troops? As we have built a megabase in Edmonton for the prairies, a megabase in Petawawa for Ontario and a megabase in Valcartier for Quebec; is it the intention to create a brigade group and megabase in Gagetown?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for that question. As the honourable senator will know, being a military person and having listened to people in our government speaking to the issue of defence, expanding the Canadian Forces is a clear priority of this government. We have committed the resources necessary to achieve this in Budget 2006, which will increase the DND budget by \$5.3 billion over the next five years.

The increased funding will allow the Canadian Forces to move ahead with adding 13,000 new regular force and 10,000 new reserve members. In response to the exact question of where those members will be located, I will take that question as notice and attempt to get that information for the honourable senator from the Minister of National Defence.

Senator Dallaire: With respect to the enthusiasm that seems to be articulated by the government for restructuring, rebuilding and bringing forth the capabilities of the Canadian Forces and the budget promises over five years of \$5.3 billion, we have heard this story before. We also saw that the budgeting in the near years was very slight in proportion.

• (1430)

This budget also demonstrates proportionally very few dollars in comparison to the full requirement in the near years as the promissory note of funding is in the outer years. Is the \$5.3 billion budget allocation and the current two-year program of slightly more than \$1 billion above the amounts that were already promised in the process by the previous government, or is this a completely new exercise in regard to the baseline funding for National Defence?

Senator LeBreton: I thank Senator Dallaire for his question. I do not think anyone in this place would want to debate the commitments that were made to the Canadian Armed Forces and not kept.

My understanding is that the DND budget will be increased by \$5.3 billion over the next five years.

• (1435)

ORDERS OF THE DAY

HAZARDOUS MATERIALS INFORMATION REVIEW ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Cochrane seconded by the Honourable Senator Keon, for the second reading of Bill S-2, to amend the Hazardous Materials Information Review Act.

Hon. James S. Cowan: Honourable senators, Bill S-2 is identical to Bill S-40, which I introduced during the last session of the last Parliament. I spoke in the Senate on June 14 on second reading of that bill. In the last session, after second reading the bill was referred to the Standing Senate Committee on Social Affairs, Science and Technology, which reported the bill without amendment. The bill received third reading here on October 20, and was sent to the other place where it died on the Order Paper after first reading.

Senator Cochrane, in her speech yesterday, described the implications of the bill and I will not review those implications again today. However, the bill seeks to change the process by which the manufacturers of hazardous materials can become exempt from providing full disclosure of the nature of their products, if that disclosure would force the revealing of trade secrets. The heart of this process is the Hazardous Materials Information Review Commission, the body that grants the exemptions to full disclosure. The amendments to the act have been requested by the commission, which has been restructuring over the past three years to allow it to perform its work more effectively.

All stakeholders, including industry and labour groups, support the changes to the operation of the commission. More specifically, the amendments will reduce the documentation required to apply for an exemption, will speed up the process for getting health and safety information into the hands of workers who use the products, and will allow the commission to respond to requests by appeal boards for clarification of the record, something that is not allowed currently.

As this bill is the same as the one I introduced in the Senate last year, and is supported by all stakeholder groups, I am pleased to support it today.

The Hon. the Speaker: Please remove that electronic device from the chamber. Senator Cowan, please continue.

Senator Cowan: I am through.

The Hon. the Speaker: Further debate?

Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

On motion of Senator Cochrane, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.

[Translation]

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—
DEBATE CONTINUED

On the order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-ninth Parliament.—(7th day of resuming debate)

Hon. Francis Fox: Honourable senators, since this is my first speech in this noble chamber, I do not intend to be overly partisan at this time.

[English]

Honourable senators, since being called to the Senate, I have seen firsthand, and have been very much impressed with, the dedication and hard work that members of the Senate bring to the work that is brought before them. Essentially, their dedication is to improving legislation as opposed to bringing a purely partisan point of view to bear.

While there will be, from time to time, lines of division based on fundamental differences of policy, I sincerely hope that the debates will always be marked by both civility and rationality, which is certainly the approach that I intend to take.

• (1440)

I would like to refer to the remarks made by Senator Murray yesterday. I listened to them in French, so I will repeat them in French. He said that as far as this chamber is concerned ...

[Translation]

The more we resemble the House of Commons, the lower our credibility with the public.

I must say I agree with this statement. I intend to support the motion of Senator Segal on the broadcasting of question period in the Senate. Nevertheless, I must say I am deeply concerned, based on my experience in the other place: as soon as television cameras are allowed into the chamber, the spirit of non-partisanship tends to subside. It is very difficult to be against broadcasting question period — and in principle I am for it — but I would like us to consider ways to ensure that this will not make our chamber look more like a zoo than a house of parliament.

[English]

I would like, first of all, Your Honour, to congratulate you on your appointment by the Prime Minister. Your whole career, a career dedicated to the public weal in this country, indicates that you bring to this position both the experience and wisdom which is so necessary. I wish you well in fulfilling this key position in our parliamentary life.

[Translation]

I also want to congratulate Senator LeBreton, Leader of the Government in the Senate. In a former life, Senator LeBreton served with great distinction a prime minister — you see, I am not being overly partisan — for whom I personally have a great deal of fondness and admiration and who has already earned a place of honour in the annals of the history of this great country.

I want Senator Michael Fortier to know what a pleasure it is to have in this government's cabinet a man of such calibre to serve both as Minister of Public Works and Government Services and as minister responsible for Montreal.

As founding president of Montreal International, and as co-president, with Lucien Bouchard — another individual well-known to this chamber — of the Société du Havre de Montréal for a few days longer, I know he will fulfill the need of that city to have a strong voice within the federal government. As a Montrealer and as a senator representing a part of that great metropolis, I want him to know that, if necessary, he will always have allies on this side to promote the economic, social and cultural development of Montreal.

I would like to say how very happy I am to be back with my comrades in arms on this side of the chamber. First of all, I would like to extend warm thanks to Senator Pépin, who was my sponsor.

In addition, I am joining Senator Lise Bacon, former deputy premier of Quebec in Mr. Bourassa's government, and Senator Hervieux-Payette, whom I also worked with for quite some time.

I am also pleased to be back with other people I served with in the House of Commons, including Senator De Bané, Senator Joyal—a stalwart of the Liberal Party of Canada — and, of course, Senator Prud'homme, who has always held a special place in my heart because he was one of the first to convince me that I should join the right party —

Senator Prud'homme: The Young Liberals.

Senator Fox: — the Young Liberals at the time. He was once young. I should also say that, in addition to Senator Prud'homme, I am delighted to see the crop of new senators who were appointed by Paul Martin. I am thinking of my friend Senator Dawson. For the first time in my life, I can say that Dennis Dawson is my elder, because he was appointed to the Senate before I was. I therefore consider myself younger than him, which gives me enormous pleasure.

I would like to mention other important people in that new crop, including Senators Segal, Dallaire, Goldstein, Cowan, Zimmer, Mitchell, Campbell and Lovelace Nicholas, not to mention eminent people from the ranks of the Conservative Party. I am thinking of Senators McCoy, Champagne, Nancy Ruth and Dyck.

This has been an excellent group of people appointed by Mr. Martin. Obviously, all those who came from the ranks of the Liberal Party were said to be patronage appointments and those on the other side who were not from the Liberal Party were distinguished appointments, and I congratulate them.

Honourable senators, I would like to speak to you today about Paul Martin, whom I worked for as senior secretary for a period of time. In my opinion, Mr. Martin has made an outstanding contribution to public life in Canada. While acknowledging that I am not an impartial observer, any more than some journalists who pass judgment on him, today I would like to describe how objective analysts might sum up the Paul Martin years a decade from now.

In the heat of the moment, we cannot really appreciate the full legacy of a prime minister, whether he is the former prime minister I mentioned when I began, whom Senator LeBreton worked for, or the Right Honourable Paul Martin.

I believe that Mr. Martin bequeathed to Canada a very important economic legacy. It is perhaps the most familiar to us. I will not repeat what Senator Dawson said about all the steps taken and economic progress made under Mr. Martin. But we all know very well that he put this country's finances back on a solid footing: Canada's performance was the best of all G7 countries. Unemployment fell to its lowest since Statistics Canada began keeping track.

In terms of finances, Mr. Martin only had one surprise for the new government. We know that every time there is a change in government, the new government's finance minister says, "We opened the books. It was terrible! The situation is far worse than what we thought." In the case of Mr. Martin there was a surprise. It was found that the situation was much better than had been thought, the surplus even larger. And that made it possible for the new government to present the budget it did.

I would also like to speak about his cultural legacy. Under the Martin government, a historic agreement on cultural diversity was signed. The file was handled brilliantly by the honourable Liza Frulla, Minister of Canadian Heritage, with the admirable assistance and partnership of the honourable Line Beauchamp, Quebec Minister of Culture and Communications. One hundred and forty-eight UNESCO member countries rallied behind this truly Canadian initiative, and we were the first country to ratify the convention.

It will be noted with great pleasure that the budget of the Canada Council for the Arts was to double over a three-year period, on the occasion of its 50th anniversary. I hope that the new government will keep this commitment, given the importance of the arts and culture to our country.

He leaves a legacy, also, in terms of social policy. One of the least recognized and most misconstrued features of the Martin years is his action in this area. The facts show that, in 18 months, Mr. Martin transferred more financial resources to the provinces than any other government in the history of Canada, in a comparable time frame. Take, for example, the health care agreement, the asymmetrical agreement with Quebec, which opened the way for subsequent agreements while fully respecting provincial priorities, and the agreement with the municipalities, which he pioneered by eliminating the GST on

products purchased by municipalities and by sharing the fuel tax, thus recognizing the tremendous needs of the municipalities. Other examples include the parental leave agreement and the national child care program, which is unfortunately now in jeopardy.

He successfully reconciled the Canadian public's objectives with programs sought by the provinces and financed, for the most part, by the federal government. He also broke new ground in the area of equalization, by being the first prime minister to index the level of equalization by a factor equal to the increase in the Liberal government's financial resources, year after year.

He also created a legacy for the Aboriginal peoples. I am well aware that Aboriginal matters are very topical at this time. It seems that the new government has decided to shelve the Kelowna accord.

• (1450)

Nevertheless, Paul Martin put the problems of the Aboriginal peoples on the national agenda. The agenda for the Aboriginal peoples of this country must remain important.

Internationally, he further improved the enviable reputation Canada had forged for itself on the international stage.

Like the people of Canada, proud and independent, Paul Martin promoted Canadian values in a firm and typically Canadian voice in the world community. One expression of this was our unequivocal commitment to the Kyoto Protocol. Another was by action aimed at building a better world through humanitarian efforts.

We need think only of the initiatives involving the forgiveness of the debt of third world countries, the efforts to fight the AIDS epidemic on the African continent or the efforts by Canadian Forces to maintain peace and rebuild countries such as Haiti or Afghanistan.

Then there is, more specifically, the invitation Paul Martin issued to the world leaders gathered in New York at a meeting of the General Assembly of the United Nations, to adopt the principle of the responsibility to protect. Since then, this principle, which aims to protect populations around the world threatened by war crimes, crimes against humanity, genocide or ethnic cleansing, has been endorsed by many U.N. countries.

At the dawn of the 20th century, another great Liberal prime minister, Sir Wilfrid Laurier, declared that the 20th century belonged to Canada. If Canada can move confidently into the 21st century, some of the credit undoubtedly goes to Paul Martin.

He foresaw the threats to our economy posed by the emergence of new economic powers such as China, India and Brazil. He understood the importance for Canada of banking on leading-edge sectors, on wealth and development, and on the knowledge economy. Foundations, research chairs, programs to share the risks of developing new innovative products with high tech firms are all crucial files whose strategic importance to our future prosperity Paul Martin understood.

[English]

The Hon. the Speaker: Honourable senators, these cellphones and devices must be removed from the chamber.

My apologies, Senator Fox. Please continue. Your time will be extended.

Senator Fox: I am just about finished, Your Honour.

[Translation]

Senator Fox: Paul Martin was behind and is due the credit for these marked tendencies, which will remain in our public life and leave their mark on Canada and the lives of Canadians for decades to come.

[English]

Hon. Lorna Milne: Honourable senators, I am pleased to participate in this debate on the Address and reply to the Speech from the Throne. I want to take this opportunity to thank Her Excellency the Governor General for her address, congratulate the Honourable Noël Kinsella on his prestigious place in this chamber and welcome our new colleague, the Honourable Michael Fortier. I wish him well in his new role as Minister of Public Works, but I also want to remind him that he has a sworn responsibility to this chamber and his future actions will be a reflection of this institution and of all honourable senators.

In her address, Her Excellency stated that the Government of Canada, "believes in the capacity of Canadians to seize the enormous opportunities before them and build an even stronger Canada, striving for excellence, anchored by enduring values." Her Excellency then outlined five areas where the new government will attempt to improve the lives of Canadians.

Honourable senators, the area on which I wish to concentrate today concerns the government's indication that it will address justice issues - differently from what we have been accustomed to in previous years.

If the government chooses to pursue a radically different approach to justice issues in the coming months, then how is that a reflection of Canadians' enduring values? If our enduring values are the anchor from which Canadians strive for excellence, then why would our approach to some justice issues need to change in such a radical fashion?

For example, during the 2004 election campaign, the Correctional Service of Canada estimated extra prison spending would be somewhere between \$5 billion and \$11.5 billion over the next ten years, depending on the number and types of facilities needed. The Prime Minister outlined this new approach in a recent conference of the Canadian Police Association. However, Neil Boyd, a Simon Fraser University criminologist, estimates that up to 23 new prisons will have to be built in order to meet the expected influx of offenders created by this radically different approach.

Keep in mind, honourable senators, that the Correctional Service of Canada manages 54 penitentiaries of different security

levels, 17 community correctional centres and 71 parole offices. We built Kingston Penitentiary in 1835 and it has taken us to the present time to build the 54 penitentiaries located throughout our country. The new policy changes will increase that number by almost one third in the near future.

Since the cost of incarcerating a man in Canada is between \$74,000 and \$110,000 per year, and the annual cost of keeping a Canadian woman in jail is approximately \$151,000 per year, this represents an astronomical increase to the cost of operating Canada's prison system.

Moreover, this increase in prison population will place an incredible logistical strain on the staff of the Correctional Service of Canada. The proposed justice policies will lead to a host of staffing problems associated with increased stress.

According to the Prime Minister, these new policies will include more automatic jail terms, which will restrict house arrest sentences that allow people to serve their time in the community. The new policies will end the policy of early release after serving two thirds of a sentence. Further, the new policies will impose consecutive rather than concurrent sentences for certain serious crimes and remove the faint hope clause designed to protect the lives of prison staff.

One of the reasons for this expected increase in prison population from its current level of 36,000 is the proposed increase in automatic jail terms, or mandatory minimum sentences.

Many Canadians are unaware that we already have mandatory minimum sentences for about 40 offences in Canada, including impaired driving, sexual offences involving children and crimes involving the use of a firearm. Mandatory minimum sentences are generally inconsistent with the fundamental principle that a sentence be proportionate to the gravity of the offence and the degree of responsibility of the offender. They do not allow a judge who has heard all the evidence to make any exception in an appropriate case.

Honourable senators, the United States has had mandatory minimum sentences for drug offences for some time. It is estimated by the Justice Policy Institute that there are 100,000 more non-violent drug offenders in the U.S. than the entire prison population of the European Union, even though the EU has a hundred million more people.

According to Dr. Ernest Drucker, a professor of epidemiology and social medicine at the Albert Einstein College of Medicine in New York, despite the tougher sentences and human toll and enormous cost of incarceration, the drug problem in the United States is only getting worse.

Also, I believe that a mandatory minimum sentence can be in violation of section 12 of the Canadian Charter of Rights and Freedoms, if it is found to be grossly disproportionate given the gravity of the offence or the personal circumstances of the offender.

In 1987, the Supreme Court of Canada concluded that a mandatory minimum sentence of seven years for importing or exporting a narcotic constituted cruel and unusual punishment because it failed to take into account the nature and quantity of the substance, the reason for the offence, or the absence of any previous convictions.

An experienced judge has spent years in a courtroom deliberating countless cases and has heard mountains of evidence. Why not allow the judge to use that experience to judge the circumstances of the offence and the offender and to come to a decision based on all facets of a case, not just the popular whim of the day?

• (1500)

Our job as legislators is to make the law, not to interpret it. We should not be inclined to take these decisions out of the hands of judges in Canada. Evidence of this practice has been collected by the Department of Justice. In 1994, while researching the application of section 85 of the Criminal Code, justice officials discovered that the existence of a mandatory minimum sentence sometimes resulted in charges being stayed or withdrawn, or a plea negotiation for a different charge, because even the prosecutors considered the mandatory minimum sentence to be too harsh. Accordingly, decisions regarding the appropriate punishment are being transferred from the judiciary to the prosecution.

In addition, a 2005 survey of Canadian judges compiled by the Department of Justice found that slightly over half felt that mandatory minimum sentences hindered their ability to impose a just sentence. As a result, to compensate for a mandatory minimum sentence for a particular offence, the judge may impose a less severe offence for other offences a person has committed.

The social impacts of mandatory minimum sentences are even more alarming. In jurisdictions where this practice is in place on a wide scale, such as Australia and the United States, studies have shown consistently that minority groups are the ones targeted by these laws. In Australia, it has been found that Aboriginal and other disempowered groups have been overly affected by mandatory sentencing laws. Even more extreme is the fact that according to two Northern Territory lawyers, over four dozen children between 11 and 17 years of age were sentenced to mandatory sentences of one year in prison in Western Australia during the 1990s.

The same pattern of discrimination holds true in the United States, where a 1998 article in the *National Law Journal* suggests the harshest impact of mandatory minimum sentencing is felt by African-Americans, and particularly by African-American women.

For example, the data indicates that African-American women have eight times the chance of European-American women of being charged, convicted and sentenced under mandatory sentencing laws. This finding led the Director of U.S. Bureau of Prisons, Kathleen Hawk Sawyer to testify before a Congress Appropriations Committee in 2000:

The reality is, some 70-some per cent of our female population are low-level, non-violent offenders. The fact

that they have to come into prison is a question mark for me. I think it has been an unintended consequence of the sentencing guidelines and the mandatory minimums.

Let us be clear: Implementing mandatory minimum sentences will not deter crime, will worsen racial and gender disparities, and will create an explosion in the prison population that will further overcrowd the facilities now in use. In addition, this government will have to authorize huge increases in spending to accommodate the new influx of offenders. It will create a new community of repeat offenders and will shift decision-making authority on sentencing from experienced judges to prosecutors.

Does this sound like a reflection of Canadians' "enduring values" as referred to in the Speech from the Throne? Do you honestly believe that these policies that have been tried and failed in other nations will provide the "hope and opportunity for our youth" that this government strives for in its inaugural Speech from the Throne?

Why on earth, honourable senators, has the Government of Canada not considered this before? It is simply because it is not an effective policy approach. A substantial percentage of these new criminals, who are incarcerated due to these proposed mandatory minimum sentences, will learn the tools of the criminal trade during their time in prison and return to the general public not only as hardened criminals but as a group that is more likely to offend again. The Canadian justice system used to view prison as a last resort. These proposed changes will dramatically alter this philosophy.

Another proposed policy that will have a dramatic effect on the justice system in Canada is the repealing of the "Faint Hope Clause." Again, the Prime Minister most recently announced his government's intentions during a speech on April 3 at a conference of the Canadian Police Association, rather than addressing this issue in the Speech from the Throne that was conveniently scheduled for the next day.

The Faint Hope Clause was established in 1976 by Parliament as a reasoned approach to dealing with those convicted of murder. Once those individuals have served 15 years of their sentence, they can apply to the Chief Justice of the province in which the conviction occurred to have their parole ineligibility period reviewed by a jury consisting of 12 members of the community. The jury considers the following when determining whether there should be a reduction in parole ineligibility: the character of the applicant, his or her conduct while serving the sentence, the nature of the offence, information provided by the victim's family members about how the crime has affected them, and any other matters that the judge considers relevant in the circumstances. The decision of a jury to reduce the ineligibility period must be unanimous. The jury can reduce the parole eligibility period immediately, or at a later date, or deny any reduction.

Honourable senators, I strongly believe that the removal of this provision of the Criminal Code will place the safety of Canadian correctional officers at risk. As I have stated, the decision by a jury whether there should be a reduction of parole ineligibility for these long-term offenders is based partially on how these offenders conduct themselves while serving their sentences. Without the presence of this clause, many offenders will feel

they have little if any incentive to rehabilitate, or even to live peacefully with their fellow inmates. Without the presence of the Faint Hope Clause these offenders will commit violent acts, without remorse, against corrections officers and other offenders.

In conclusion, honourable senators, I cannot emphasize enough how potentially devastating these proposed changes to the Criminal Code will be to Canadians. Keep in mind that in California, with a population roughly the same size as that of Canada, correctional costs have grown by more than 230 per cent in the last 15 years. The state has built 21 new prisons since 1980, and in 2004 had a prison population of 161,000. In 1980, California had a prison population under 25,000. The state government has had a tough-on-crime fervour that dominated state politics since 1980. Now its corrections budget accounts for over \$7 billion of their taxpayers' money annually.

According to the 2006-07 Main Estimates tabled in this chamber last week, this figure is larger than the expected spending for all Canadian government departments except for the Department of Finance, the Department of Human Resources and Skills Development, and the Department of National Defence.

Honourable senators, I ask you, are Canadians ready for these kinds of changes? Can Canadians afford these kinds of changes? I believe they cannot. I hope they will be given the opportunity to engage in an open and honest discussion about what these proposed changes will bring before they become the law in Canada.

Some Hon. Senators: Hear, hear!

Hon. David Tkachuk: Would the honourable senator take a question?

In the last election the Liberal Party of Canada had a policy, along with the NDP, supporting mandatory minimum sentences. Has there been a change in Liberal Party policy or is this your personal opinion?

Senator Milne: This is of course my own personal view. I disagreed with what they said during the election and I still disagree. I believe that mandatory minimum sentences do not work.

On motion of Senator Comeau, debate adjourned.

• (1510)

[Translation]

CANADA'S COMMITMENT TO DARFUR, SUDAN

INQUIRY—DEBATE ADJOURNED

Hon. Roméo Antonius Dallaire rose pursuant to notice of May 2, 2006,

That he will call the attention of the Senate to the situation in the Darfur region of Sudan and the importance of Canada's commitment to the people of this war-ravaged country.

[Senator Milne]

He said: Honourable senators, I would like to apologize to my francophone colleagues for introducing my motion in English. However, this will be one of the last times because from now on, I will express myself in my mother tongue, Québécois, or, as some call it, 18th-century French.

[English]

Honourable senators, today, I wish to bring to your attention the situation in the Darfur region of Sudan and the essentialness of Canada's direct involvement in stopping this massive humanitarian crisis.

I have entitled my inquiry, "Are all humans human, or are some humans more human than others?" Even with Rwanda still reasonably fresh in our minds, two years ago we did not answer the call to protect millions of Darfurians being "ethnically cleansed," killed and raped by the thousands in their villages and in their homes.

Over one year ago, as the humanitarian situation continued to worsen in Darfur, as more people were killed, injured, raped and displaced, we saw the effects of the tsunami on South East Asia. Our response there was contagious, generous and without reserve. Billions of dollars were given and troops were deployed, as well as hundreds upon hundreds of NGOs.

Who chooses and prioritizes our commitments? How are these decisions made? What criteria are used? Are those who make the decisions held accountable? Samantha Power, a lecturer in public policy at the Kennedy School of Government at Harvard University, and a colleague of mine, said it succinctly in a topical op-ed. She wrote:

There is a moral and political void in the world when it comes to coping with catastrophes in Africa.

The people of Sudan, Africa's largest state, have known little peace in their lifetimes. Tens of thousands have been killed in ethnic cleansing. Rape is rampant as women venture out of secure areas to gather wood and water, while men are killed by uniformed soldiers and militia. Three concurrent theatres of conflict have ravaged, and are ravaging still, this country of Africa.

The first theatre of conflict is a civil war that destroyed the south for 21 years. An entire generation knew only refugee and internally displaced camps as their homes. While the Comprehensive Peace Agreement was signed by the warring parties, and a UN mission of approximately 10,000 troops has been deployed to monitor the latter, some violence continues, underscoring the importance of robust UN deployments in peacekeeping or conflict resolution.

A Lord's Resistant Army, or LRA, insurgency out of Uganda is robbing southern Sudan of what little they have left, and continues to create instability. The LRA has abducted large numbers of civilians — most of whom are children — for training as child soldiers, even using young girls as sex slaves and bush wives. Furthermore, there is little to no infrastructure to support the return of the displaced looking to start their lives over, under this signed agreement.

The second conflict is in the east, along the Eritrean border, where there is an ongoing low-level insurgency that opposes the Government of Sudan to local rebel groups in a struggle for identity, power and resources. The situation threatens to erupt into full-scale conflict and breeds instability, exacerbating the abhorrent humanitarian situation in that part of the country.

Third, and finally, there is Darfur, a vast region in western Sudan which has, since 2003, been the site of unimaginable human suffering. Despite a ceasefire signed in April 2004, violence continues to plague the region. Recent estimates indicate that nearly 3 million people have been displaced as a result of the ongoing conflict. Driven from their homes in fear, these people often find no respite in the refugee and internally displaced camps to which they flock, the women and girls falling victim to sexual and gender-based violence. The refugee camps in eastern Chad are increasingly impacted by the rising political instability of that country, causing locals to cross the border seeking refuge in Darfur.

All parties, the government and the rebels, continue to violate the 2004 ceasefire. The government's proxy militias, known as the Janjaweed, are among the worst offenders and, by failing to disarm them, the Government of Sudan continues its abysmal human rights record.

In recent months the security situation has grown more and more unstable and humanitarian access is sinking to frighteningly low levels. The problem is compounded by the fact that the dedicated national and international humanitarian workers and military personnel toiling diligently on the ground have decreasing access to the victims due to the rising insecurity.

Furthermore, faced with donor fatigue — recently confirmed by the announcement of the World Food Program's drastic cut in caloric distribution — humanitarian agencies are experiencing low morale, almost despair, and this even before the rainy season starts in just a few short months, something which will make the whole country impassable.

Putting voice and action to our, and now the United Nation's Responsibility to Protect doctrine, last May I was appointed, along with my colleagues Senator Mobina Jaffer and Ambassador Robert Fowler, to Prime Minister Martin's Special Advisory Team on Sudan. We were mandated to monitor and administer the implementation of the Canadian assistance package to Darfur, which consisted of a \$170 million package devoted to support for the African Union Mission in Sudan, called AMIS, for humanitarian and peace-building projects, and for diplomatic support to the political peace process in Abuja.

This assistance reflected Canada's commitment to the whole-of-government approach. It placed Canada among the top five contributors, all of whom are trying to ease the situation and support the African Union's valiant efforts.

On the diplomatic front, we provided support to the peace talks in Abuja, Nigeria. After two long years of negotiations between the rebel groups and the Government of Sudan, the parties seemed to be approaching a signature of the Darfur Peace

Agreement over the next short while. Darfurians and the international community alike now await the fruit of this agreement. Albeit with cautious enthusiasm, I believe it has the potential to be a significant step forward. It is the basis of the UN commitment to the ongoing process of peace and stability in that region.

I must mention the very fine work Senator Jaffer did in leading the way on gender inclusion in the negotiation process. Gender issues are of the utmost importance. Women and girls make up half the affected population of Darfur. They are targeted victims of horrendous sexual violence. Their basic rights are continually jeopardized because of discrimination they face from all sides.

The inclusion of women's voices in the Abuja peace process brings legitimacy to the treaty. Without their support, the durability of the recently signed agreement would be all the more uncertain.

Based on my experience and readings, it is my opinion that true reconciliation in these complex and fragile nations that are imploding left, right and centre will only be achieved when women are economically, socially and politically empowered, and when their children have the opportunity to attain not just a basic elementary education but a high-school education where girls are given equal access.

• (1520)

Our special advisory team provided vital support to AMIS, who did a remarkable job fielding a peace support operation with limited resources and under extremely difficult conditions. Canada's assistance included tactical airlift in the form of fixed wing aircraft and 25 helicopters; an essential force multiplier capability with the loan of 105 armoured personal carriers. Personal protection equipment for thousands of troops gave them a modicum of reduction of risk. We also contributed military and civilian police expertise at the strategic planning level and training at the operational and tactical levels, totalling approximately 100 troops between the Darfur theatre and the north-south with the UN mission UNMIS. This support to the African Union is important not only in the context of Darfur, but also because it provided much needed capacity building support to allow the AU to one day reduce their dependence on the out-of-region capabilities, particular from the West.

Elsewhere, Canada has provided multilateral assistance to organizations such as the World Food Program, which is helping to feed the displaced. We have also played a vital role in establishing some 25 therapeutic feeding centers; providing essential drugs to approximately 500,000 conflict-affected women and children; ensuring access to water and sanitation facilities for approximately 25,000 households; and reducing the diarrheal diseases and other public health risks for more than 60,000 internally displaced persons in the southern part of Darfur.

The appointment of the Special Advisory Team on Sudan was an important signal to the Canadian public and the international community that Canada is serious about supporting the pursuit of peace, security and development in Africa. We worked together as strong advocates for the people of Sudan on all fronts. However, despite the overwhelmingly non-partisan nature of our work,

which included several field deployments in the region, in mid-March the new government, abruptly and without any follow-up, terminated our mandate. While work will continue at the departmental level, it will be at a significantly lower profile. I must ask: Why such a change in tactics at a time when we should be accelerating the effort to achieve more timely and effective support in the field and advance the capabilities of the UN to intervene?

I traveled with Senator Jaffer and Ambassador Fowler to the region last November and had the opportunity to tour some of the sectors of the AMIS mission, meet with the Government of Sudan, troop leaders and sector commanders, and go on patrol with some of the troops — getting lost at least three times.

I was most impressed with the job being done by the African Union. Standing up this mission was an important first step in the operationalization of the nascent African Standby Force, an ambitious project designed to free the AU from reliance on western militaries for peace support operations on the continent. This initiative, which has been in the works for the last five years, aims to develop African self-reliance through targeted capacity-building initiatives, the ultimate aim being the creation of a first respondents force in the region. As an aside, the African Standby Force is an endeavour to which Canada must lend its full support in terms of training, developing and equipping it, a cause that I will be actively pursuing over the life of this parliament.

Despite the excellent work done by the African Union to this point, they do not yet have the capabilities, the spectrum of skills, the number of troops and the resources to carry out the necessary mandate of such a complex operation in the long term. The force is maimed by a lack of basic necessities such as radios, compasses and water. They do not have enough troops to go beyond this rotation, let alone to build the force up to the needed strength of approximately 20,000 for the protection and return of Darfurians from their IDP and refugee camps. Therefore, we must transition these troops to a United Nations mandate as soon as possible. While the new mission, under the UN, can and should retain African command, transitioning will allow the mission to draw on assessed contributions from the whole of the UN and on a wider pool of resources into the mid and long term.

The situation in Darfur has now reached a critical juncture. The yet-to-be-signed peace agreement will be a significant step forward. However, it will only be effective if it is enforced. As I just mentioned, despite valiant efforts, the AU force is ill-equipped to quell the increasing violence and unable to support and protect the victims of this desperate situation. They will, therefore, be unable to enforce the soon-to-be-signed peace agreement. The urgency of the transition to a UN force and the necessity of providing it with a strong mandate and adequate resources to effectively enforce the peace are therefore self-evident. With every week that passes, the AMIS force is losing credibility and its ability to maintain a reasonable level of protection for a very limited group of Darfurians.

Prompted by the horrors of Darfur, Canadian citizens are now calling on their government for action. It is with great pride that I see, alongside my fellow members of Parliament of all political stripes, young Canadian high school and university students who believe in international social justice, the importance of sharing wealth and opportunity with societies beyond our borders, and

that human rights are for all humans, not only for Canadians within our borders. Their awakening into activist movements is a new dimension to the political landscape of our nation and I hope they pursue this effort with energy throughout the world.

For all the aforementioned reasons, it is now time for Canada to step up to the plate and to act as the leading middle power that it is. We made a commitment to the people of Sudan when we took a lead role in this dossier last year. We have since gained valuable expertise and an intimate knowledge of the country, the people and the situation on the ground. We cannot abandon them now that the situation requires more effort.

The Hon. the Speaker *pro tempore*: The time of Senator Dallaire has expired.

Do you wish an extension?

Senator Dallaire: I would request five minutes to conclude my presentation.

The Hon. the Speaker *pro tempore*: Is that agreed?

Hon. Senators: Agreed.

Senator Dallaire: Thank you, honourable senators.

The United Nations and the African Union are currently in the planning phase for the transfer of the Darfur mission to a UN mandate. For this transition to happen in an appropriate, adequate and timely fashion, Canada must fill the leadership void in the international arena. We must take a front role in ensuring that there is sufficient political will to see this process and this mission through. We must ensure the UN force is mandated appropriately with a Chapter 7 mandate enabling it to enforce the Darfur Peace Agreement, to protect civilians and to take proactive measures to prevent eventual breaches of the agreement.

It is of primary importance that Canada exert concerted political energy to neutralize the negative votes of Russia and China in the UN Security Council. The same effort must be deployed vis-à-vis the Government of Sudan to persuade them to grant this Chapter 7 mandated UN force entry and free movement within their borders.

The concept of operations must revolve around a highly skilled and fully equipped core ground force that will be the backbone of the approximately 20,000 troops needed for the mission.

The UN Multinational Stand-by High Readiness Brigade for United Nations Operations, or SHIRBRIG, is the ideal core force for the task. This multinational brigade-size force of 4,000 was created to provide a rapid deployment capability of up to six months. It was created after the Rwandan catastrophe. A Danish initiative, Canada has signed on as a full participant, along with a dozen other Western powers. SHIRBRIG provides a highly-trained force with operational experience, efficient command and control, and credible deterrent capabilities when needed. They gained hands-on experience in Sudan when they deployed the headquarters to build up the UN mission for the southern Sudan operation. SHIRBRIG is currently commanded by a Canadian, BGen. Greg Mitchell.

SHIRBRIG's signatory countries can provide the force multiplier capabilities for the mission. These include night vision systems that will highly augment the force's tactical capabilities, helicopters, armoured personnel carriers and unmanned aerial vehicles that will ensure rapid reaction, protection and shock action, while a no-fly zone will be imposed by light aerial defence systems. SHIRBRIG should be the "force de frappe" of the UN mission, reinforcing security through its mobility and equipment and the skills of its troops and headquarters staff.

This core force is to be merged with a large observation and protection force, the bulk of which would be provided by developing countries from the region and abroad. Darfur being approximately the size of France, my concept proposes doubling the current force in each of its eight sub-regions and in Chad to two battle groups, totalling 16,000 troops that would be the eyes and ears of central command, and the entire force, including SHIRBRIG, would total about 20,000.

The African character of the force, through its commander, must remain for the force to be legitimate in the eyes of the population and the Government of Sudan. The 7,000 personnel of the current African mission currently deployed in the region would be integrated in the UN force. They would provide much needed experience and sensitivity to the nuances of the land and its people. I wish to underline that the transition from the AU to the UN must be done in a spirit of reinforcement and not one of taking it over.

• (1530)

I feel strongly that Canada must commit troops to this mission. We are a nation that prides itself on our history of peacekeeping and our dedication to multilateralism, but we currently rank fiftieth in contributions to UN missions. We continue to refuse leadership jobs for our senior officers, robbing them of the opportunity to gain command experience and thus be more effective in leading our own troops in future complex missions. We are actually being asked all around whether we have given up or pulled out of peacekeeping. Considering the need for developed nation support and the abysmal lack of military leadership, anything short of a sizable Canadian military contribution with an appropriate level of diplomatic skills would be condemning the mission to failure and the people of Darfur to continued suffering.

Last July, honourable senators, I called for the planning of the UN transition to start immediately, but neither the UN nor the EU was ready. We know it takes between six to nine months to get a force in the field when there is little or no infrastructure to rely upon, and up to a year for the force to be at full capacity. I therefore cannot emphasize enough the urgency of getting the ball rolling on this transition.

This trend of pulling Canada out of these fundamental roles of protection around the world must be reversed. Canada can and must demonstrate its credibility with the "responsibility to protect" doctrine by sending a reinforced battle group of approximately 1,500 soldiers in support of the United Nations mission in Darfur.

Honourable senators, all humans are human. Not one is more human than the others. We have no right to pick and choose those who live and those who die, and we do have the capability

of conducting concurrent operations in Afghanistan and, within a limited time frame, in Darfur.

On motion of Senator Nancy Ruth, debate adjourned.

[Translation]

THE SENATE

MOTION TO URGING SUPPORT FOR STABILIZATION AND RECONSTRUCTION OF AFGHANISTAN— DEBATE ADJOURNED

Hon. Roméo Antonius Dallaire, pursuant to notice of May 2, 2006, moved:

That the Senate support Canada's diplomatic, military and humanitarian contributions to the stabilization and reconstruction of Afghanistan;

That the Senate salute the Canadian Forces, diplomats and humanitarian workers who are contributing to the reconstruction of a stable and prosperous Afghanistan.

Honourable senators, once again, I will give my speech in the language of Shakespeare, but I will not always do so in future.

[English]

Honourable senators, at the end of January this year, UN Secretary-General Kofi Annan told the London conference that Afghanistan is today a "nascent democracy." A few weeks later, he added in a report to the UN General Assembly and Security Council:

Afghanistan continues to face enormous challenges in the areas of security, governance, rule of law and human rights, sustainable economic and social development and combating the illegal narcotics industry.

While emphasizing the role of the state in achieving progress in each of these areas, the Secretary-General recognized that the Afghan government cannot accomplish in mission alone. Despite the progress made since the Bonn agreement in 2001, Afghanistan's transition remains fragile and uncertain. As long as the people of Afghanistan continue to face security, development and human rights challenges, the international community cannot afford to become complacent, distracted or fatigued.

I would like especially to underline that Canada's increasing involvement in Afghanistan has been the result of decisions taken by successive Liberal governments under Prime Ministers Jean Chrétien and Paul Martin. The Canadian Forces joined the international campaign against terrorism in the region in October 2001, and a battle group of 2,000 soldiers was deployed to Kandahar in February 2002.

In the summer of 2003, Canada made a large commitment of troops to the UN-mandated NATO International Security Assistance Force based in Kabul, an effort that was accompanied by vigorous Canadian diplomacy and our largest

ever development assistance contribution to a single country. The force was commanded by its deputy, Major-General Andrew Leslie, a Canadian, and subsequently, by current our Chief of the Defence Staff, then Lieutenant-General Rick Hillier. The total amount of assistance disbursed and pledged from Canada will reach more than \$656 million over the period 2001 to 2009.

Canada's resolve was underscored by visits to Afghanistan by Bill Graham as Minister of Foreign Affairs in September 2003 and by Prime Minister Chrétien in October 2003, when he told our soldiers at Camp Julien in Kabul:

You must remember that your work has far-reaching effects. By bringing peace and stability to Kabul and Afghanistan, you do much to bring peace and security to the region. And ultimately, we will all benefit.

In 2004, Canada's current Chief of Defence Staff, General Rick Hillier, in command of the force in Kabul from February to August, having replaced Andrew Leslie, continued to keep the effort of the Canadian commitment and leadership in that mission alive and thriving. Prime Minister Paul Martin described our mission there as an example of Canada's strategy for addressing the international crisis modeled on a "3D" approach of integrating defence, diplomacy and development into integrated solutions to building good governance, nation building and an atmosphere of security for the Afghan population.

Indeed, it was the Martin government's international policy statement of April 2005 that made that strategy, founded on human rights, a centrepiece of Canadian policy. It also made clear then that Canada was in Afghanistan for the long haul. At a May 16 joint meeting in the House Foreign Affairs and Defence Committees, Bill Graham, then the Minister of Defence, first announced Canada's expanded and challenging current commitments in southern Afghanistan, involving a provincial reconstruction team deployed in Kandahar in August of last year and a large number of troops in early 2006. As he stated at the time:

The purpose of this new military commitment will be to strengthen security and stability for the people of Afghanistan. And it will demonstrate, in a real and meaningful way, our commitment to the international campaign against terrorism and our willingness to play a leadership role in the world — a key objective of our international policy statement.

We want to help stabilize by creating an atmosphere of security for the nascent democracy in Afghanistan.

Our Canadian diplomats have also played and continue to play a notable role in Afghanistan. Former Canadian Ambassador to Afghanistan, Chris Alexander, was recently appointed as a special adviser on Afghanistan to the Secretary-General. Another senior Canadian diplomat, Glyn Berry, has joined the 15 Canadian soldiers who have paid the ultimate price for their duties in Afghanistan on our behalf. Peter Harder, Deputy Minister of Foreign Affairs Canada, said in his funeral eulogy for Glyn Berry, which I attended in London:

His compassion for the people he met in Pakistan and Afghanistan defined the last years of his life. He volunteered

for Canada's Provincial Reconstruction Team in Kandahar because he felt deeply that the Afghan people deserve a better life. Commitment was not an abstraction for Glyn. He believed that if you could help — if you wanted to help — then you should do so with real passion.

• (1540)

According to former Canadian Ambassador to the United Nations, Paul Heinbecker, we are in Afghanistan for two main reasons:

...for defensible human solidarity and national security. At the human level, we are trying to help Afghans rebuild their government institutions, develop a legitimate economy to provide for their basic needs and restore protection of human rights, not least the basic health and education rights of millions of Afghan women.

Second, we are part of a larger effort that is trying to help the Afghan authorities re-establish at least a minimum of authority over their territory so that international terrorists cannot again be incubated in the remoter reaches of the country.

There is a mounting fear that without this long-term commitment and without our troops, Afghanistan will fall back into the hands of the Taliban. It is part of our values and our humanity as Canadians to uphold our commitment if we are to bring about positive change in the lives of the Afghan people, and particularly women and girls.

The human rights of women in Afghanistan are violated on a daily basis as they continue to face barriers to education, widespread discrimination, restriction on movement and pervasive violence. As Canadians, we cannot imagine living in such conditions.

For the Canadians who risk their lives and for the Afghan people who need our commitment for their basic rights, we shall continue to rally support for our troops and a mission that is "the highest calling of citizenship," as Prime Minister Harper called it most recently.

The Canadian public needs to know that Canada is not fighting a war in a foreign country, as one citizen wrote. Our soldiers are in Afghanistan to assist in establishing freedom and security, to lay the foundations for good governance, justice and respect for human rights, and to eradicate the breeding ground of terrorist activities. As well, chaplains of the Canadian Forces posted to Kandahar are engaging with local Afghani imams in dialogue to affect religious and cultural reconciliation. Our efforts count in this era of disorder and insecurity in which conflict is expressed in the most ignoble and barbaric fashion. In this complex and ambiguous context, the civilian population of women and children are used as instruments of war, and rape is predominant.

We who are privileged to live in a healthy democratic state cannot remain passive. We must help the people of Afghanistan to consolidate their own state so they can build a decent future for their children. To succeed, we must continue to support our soldiers even when the going gets tough. Let us not forget that

supporting our troops also means recognizing their accomplishments. When they return home, that recognition means giving them the respect they deserve for implementing what this nation believes is a responsibility for the disciplined use of force in countries that need protection.

I recall that Bill C-45 was introduced by the former government in respect of the new Veterans Charter, which recognizes that Canada is strengthening its international role and ensures that the men and women of the Canadian Forces and their families are well supported and cared for upon their return. The passage of this bill reflects our commitment to meet the continued effectiveness of our forces and their operations around the world. It also means that we will face head-on the responsibilities that we have for those who risk their lives for the enhancement of peace, security and human rights in far-off lands in our name. This charter was executed to maintain morale of the troops, and to provide a guarantee of support to the families for their loved ones deployed overseas. As well, this charter will attenuate the enormous sacrifices that they experience as they live with their troops on missions overseas through the continuous provision of information from the media — a totally different situation than during World War II when families were isolated.

Experience has taught us that respect for human rights goes hand in hand with security and development. While we continue to support our troops in every way that we are able, we also need to pursue a comprehensive approach with the “whole of government” to ensure greater cohesion among defence, development and diplomatic efforts, the 3Ds, and more importantly, to achieve a greater impact on the ground in a more effective fashion.

Nation-building does not happen overnight and Prime Minister Harper made it clear on different occasions that “we are there for the long term.” During his visit to Afghanistan, he also told our troops, “Your work is about more than just defending Canada’s interest. It’s also about demonstrating an international leadership role for our country” — a role for which Afghan people are grateful. Hamid Karzai, President of Afghanistan, thanked Canadians for “giving the lives of their sons, for contributing in money, for contributing in soldiers and for being one of the biggest helpers in Afghanistan” in its slow but deliberate movement towards democracy.

Beyond helping, we also have the responsibility to protect. While the actions of the international community in overthrowing the Taliban were not driven by this concept, I would argue that our continued actions in Afghanistan spring from the same source — our responsibility to protect the vulnerable and defenceless, not excluding the use of force if required. In this regard, the Canadian-sponsored International Commission on Intervention and State Sovereignty developed the concept of the “responsibility to protect,” R2P, which states:

Every diplomatic and non-military avenue for the prevention or peaceful resolution of the humanitarian crisis must have been explored. The responsibility to react — with military coercion — can only be justified when the responsibility to prevent has been fully discharged.

Even more fundamentally, the responsibility to protect is the responsibility to rebuild. The R2P concept recognizes the importance of the post-intervention phase. It states:

To see an intervention through means as well that the intervening side has to be prepared to remain engaged during the post-intervention phase as long as necessary in order to achieve self-sustained stability.

We do not want another situation like the one in Haiti where we pulled out far too soon and found ourselves in a much more complex and desperate scenario. Canadians are succeeding in Afghanistan. However, our mission in Afghanistan is far from being accomplished. UN Secretary-General Kofi Annan said:

Regardless of the causes of the conflict in Afghanistan, the concept of a democratic state will only take root if the people of Afghanistan become convinced that what is on offer is better than any alternative, either experienced or being imposed by force.

We need to have confidence in our troops. Our presence in Afghanistan will lead to the empowerment of children and women, the respect and protection of human rights, the establishment of good governance, the rule of law and, ultimately, reconciliation in that nation. These values are the ones that our great nation stands for. Let us not lose sight of the objectives of the mission and of the importance of our contribution. Let us not fail the people of Afghanistan and its future generations. Let us not fail our troops.

We cannot and must not waver in the face of adversity. Our elders and ancestors never wavered. This great nation was built on, and protected by, the willpower, determination, courage, sweat, tears and blood of those who came before us. This leading, middle-power nation in the world has reached its culminating point as a mature, progressive country dedicated to the protection and the emancipation of human rights and well-being well beyond our borders. We cannot blink in the face of adversity no matter how we hurt for those who are casualties. For us to blink is to cry defeat and our diplomats, humanitarian workers and soldiers deserve much better from us, honourable senators — the parliamentarians and the people of this country.

On motion of Senator Di Nino, debate adjourned.

FOREIGN AFFAIRS

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Hugh Segal, pursuant to notice of May 3, 2006, moved:

That the Standing Senate Committee on Foreign Affairs have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject-matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED
TO PERMIT ELECTRONIC COVERAGE

Hon. Hugh Segal, pursuant to notice of May 3, 2006, moved:

That the Standing Senate Committee on Foreign Affairs be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

[*Translation*]

ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate, and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, May 9, 2006, at 2 p.m.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, May 9, 2006, at 2 p.m.

THE SENATE OF CANADA PROGRESS OF LEGISLATION

(indicates the status of a bill by showing the date on which each stage has been completed)
(1st Session, 39th Parliament)

Thursday, May 4, 2006

(*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25	06/05/04	Social Affairs, Science and Technology					
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25							

GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-4	An Act to amend the Canada Elections Act and the Income Tax Act	06/05/02	06/05/03	Legal and Constitutional Affairs	06/05/04	0			
C-8	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007 (<i>Appropriation Act No. 1, 2006-2007</i>)	06/05/04							

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05							
S-202	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	06/04/05							

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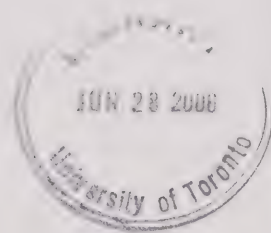


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CANADA



Debates of the Senate

1st SESSION

•

39th PARLIAMENT

•

VOLUME 143

•

NUMBER 11

OFFICIAL REPORT
(HANSARD)

Tuesday, May 9, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Tuesday, May 9, 2006

The Senate met at 2 p.m., the Speaker in the chair.

• (1410)

Prayers.

SENATORS' STATEMENTS

WORLD HYPERTENSION DAY

Hon. Wilbert J. Keon: Honourable senators, May 13 is World Hypertension Day. Hypertension or high blood pressure is a serious condition that can result in heart failure, stroke, confusion, dementia, kidney disease and, tragically, death.

Technically, a person is diagnosed as having hypertension when the blood pressure is greater than 140 over 90. If a person suffers from kidney disease or diabetes the cut-off is 130 over 80.

The cause of hypertension is usually not known and is sometimes referred to as "the silent killer" because people who suffer from it usually have no symptoms. It is often detected only when apparently healthy people are screened for other conditions.

Of the estimated 5 million Canadian adults who suffer from this disease, 43 per cent are not even aware and only 16 per cent of them are being appropriately treated. Of particular interest to many of us in the chamber is that hypertension affects a large number of people over age 60 and, as we know, the average age in the Senate is 64.7 years.

Once it is determined that a person has hypertension, the next step is to take action to control the disease. Statistically, this will help reduce the incidence of heart attack by about 25 per cent, stroke by about 40 per cent and heart failure by about 50 per cent. Following a healthy lifestyle will also help. Taking medication is vital. People must learn how to take their blood pressure, but they must also carry the necessary medication to treat themselves and help keep their blood pressure under control.

I encourage honourable senators to recognize World Hypertension Day by doing all you can do to monitor yourselves from the serious side effects of this serious disease.

CENSUS DAY 2006

Hon. Lorna Milne: Honourable senators, I want to take this opportunity to remind you that Census Day 2006 is coming soon. In fact, it is scheduled for next Tuesday, May 16.

As anyone who has been in this place over the last seven years knows, the 2006 census marks a special occasion. It will be the first time in the 340 years censuses have been conducted in this land that the respondents will be asked to provide consent for the release of the information they provide.

The release of this information will not occur until 2098, or 92 years after collection, in accordance with the provisions of Bill S-18. Every one of us here today will be gone by then.

Until now, no such consent was required. However, I want to urge honourable senators strongly to answer yes to the release of this information on their census forms. If you do not check the yes box, your information will not be released ever.

Why should you answer yes to the informed consent question on the census? The greatest value of census records to researchers is in their integrity, how complete they are. If significant numbers of respondents answer negatively, or do not answer this question at all, it will destroy the integrity of the records and thus their value to genealogical, medical or historical researchers.

Honourable senators, let me ask you a few questions. Do you want to be remembered? Do you want your descendants to be able to trace who you are or who you were? Do you want historians and social researchers to have an accurate picture of what life was like in Canada while we lived here today? Do you want to assist your future family in settling legal disputes? Do you want to ensure your place in Canadian history? If you answered yes to any of these questions, then ensure your place in the history of Canada. On Census Day, May 16, do your duty and check that yes box to allow your information to be made available to your descendants in 2098. Please encourage everyone you know to do the same.

WOMEN'S BRANCH OF INTER-PARLIAMENTARY UNION

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, as some of you know, this week marks the expiration of my term as President of the Women's Branch of the Inter-Parliamentary Union, IPU. Before it expires, I thought I should report on two meetings that I attended in that capacity.

The first was a regional parliamentary seminar on developing a protective framework for children, which was held in Hanoi in February. It was organized jointly by the IPU, and UNICEF. It brought together members of parliament from 13 countries.

It was particularly interesting in terms of the contribution of the stellar experts who attended, in particular, those speaking about child pornography. I had not begun to envisage the scale on which child pornography is spreading. I think we will have to address this issue internationally and nationally sooner than we thought — and also child trafficking, which is a growing plague.

We also had meetings with the Vietnamese minister. Some field visits were organized, notably to a therapeutic centre for disabled children, including the children of people who were affected by Agent Orange during the war in Vietnam.

The second meeting was a one-day parliamentary meeting on the occasion of the fiftieth session of the UN Commission on the Status of Women, which was held in New York at United Nations headquarters on March 1, 2006. I chaired that meeting, and Senator Andreychuk spoke in her capacity as the Canadian delegate. Some 180 participants from 64 countries were at that meeting. Again, we heard from a number of high-level experts and representatives of the United Nations. A particular emphasis was placed on the institution of Parliament, and how parliamentarians are contributing to the goal of reaching gender equality in the overarching goal of equal participation of women and men in decision-making processes.

One of the main mechanisms talked about was the functioning of specialized bodies or committees that deal with gender equality and the status of women in Parliament. I draw to your attention, again, that Canada is falling behind in the international rankings.

On behalf of the IPU, I had the honour of reporting on that meeting later to the fiftieth session of the Commission on the Status of Women. I must say, in closing, that it has been a tremendous privilege for me to serve the IPU — and also, I hope, Canada — in that extraordinary international organization. I wish it well for the future.

CHILD CARE SPACES AND PRISON SPACES

Hon. Pierrette Ringuette: Honourable senators, I would like to bring your attention to the issue of creating spaces, as this government has outlined in the budget tabled last week. Yes, creating spaces for prisoners and creating spaces for child care. Ha, but let us look further than the current spin on this issue.

• (1415)

Creating spaces for child care is only an incentive mechanism — \$250 million in tax credits, not cash, per year for five years to create 125,000 child-care spaces. In real terms it is about \$400 million for five years or, even better, it represents \$3,200 per child-care space in capital costs with no incentive for operating costs.

Let us look at creating prisoner spaces. Minister of Public Safety, Stockwell Day, indicated that his department will spend \$245 million over the next five years to build more federal prison spaces to accommodate 400 new prisoners. In capital costs, this spending represents \$612,000 per space. As well, the yearly operating cost is \$82,000 per prisoner, times 400 prisoners, to a total of \$32.8 million for life.

This Reform Conservative government would rather invest \$612,000 for one prisoner space while spending only \$3,200 per childcare space. This route is the one these Reform Conservatives are taking. Is this how they view the future of Canadian society? Is this where we should invest? Do you truly believe that Canada will be a better place with more prison spaces than child-care spaces? Do you believe that Canadians' hard-earned money should be spent on the future or on the past? The issue is, we either build for, and invest in, the future for child-care spaces for law-abiding citizens or we invest in the past. Every sociologist,

criminologist and economist is up front about saying that Canada must invest in its future and Canada must invest in its children. This area is not where the Reform Conservative government is investing. Please reflect on this issue. I say, what a shame that you are wasting our dollars like this.

Some Hon. Senators: Hear, hear !

THE LATE SISTER ROSE THERING

Hon. Jeremiah S. Grafstein: Honourable senators, our rabbis teach us to be careful with words. Words can kill. Words can heal.

It is with that in mind that I rise to lament the passing this past Saturday of Sister Rose Thering, a Roman Catholic nun of the Order of St. Dominic and Professor Emeritus of Education at the distinguished Catholic university, Seton Hall in South Orange, New Jersey. Sister Rose was a nun of singular courage and leadership who discovered, to her surprise in her studies in the late fifties, that Catholic teachings from grade school to high school fostered anti-Semitism. It was her pioneering studies that profoundly influenced in 1962 the Vatican Council II, *Nostra Aetate*, to reverse church teachings, and concluded with these crucial words: "The Jews should not be presented as rejected or accursed of God." These words marked a profound reversal in church teachings and attitudes, and marked a historic change. It was these words that elevated the Catholic-Jewish dialogue to a new order of urgency that continues to this very day.

However, Sister Rose Thering did more. She was instrumental in convincing the State of New Jersey to provide Holocaust studies throughout its school system. Regrettably, not one community in Canada does so. It is hoped that the Standing Senate Committee on Human Rights might consider this issue if and when it chooses to deal with the Washington declaration against anti-Semitism, now on the order paper. Indeed, words can kill and words can heal: so taught the late Sister Rose Thering.

[Translation]

TECHNOLOGY IN THE SENATE

Hon. Roméo Antonius Dallaire: Honourable senators, I would like to raise an issue that I feel is important. Last week and the week before, we discussed the use of technology in the Senate. I wonder whether our reluctance to use technology is keeping us from becoming more efficient in carrying out our duties here in the Senate and elsewhere.

• (1420)

I wonder what our fellow senators did in the days before microphones. Did they shout? Did they use ear trumpets? What did they use to make themselves heard? They recognized that a technological device such as a microphone was useful to conducting business in this chamber.

Honourable senators, we are moving beyond microphones to other technology. In this new era, we tend to use new communication technology to maximize our efficiency. Using these tools in the Senate does not hinder debate, nor does it

distract us. On the contrary, we can concentrate on the business at hand instead of continually leaving the chamber. We know that as part of our job, we must be present at committees and elsewhere to attend to many other affairs.

I am simply commenting on a position that prevents us from assessing all of these technology options and that does not help us. It is hindering our progress.

I would note that the Senate of South Africa, which I visited recently, is technologically advanced. They have access to all these technologies. If they can use them responsibly in such a troubled country, surely we can in such a peaceful and stable one.

ROUTINE PROCEEDINGS

OFFICIAL LANGUAGES COMMISSIONER

2005-06 ANNUAL REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table the 2005-2006 annual report of the Official Languages Commissioner, pursuant to section 66 of the Official Languages Act.

[English]

STUDY ON STATE OF HEALTH CARE SYSTEM

REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE TABLED

Hon. Michael Kirby: Honourable senators, I have the honour to inform the Senate that, pursuant to the order of reference adopted on April 25, 2006, the Standing Senate Committee on Social Affairs, Science and Technology tabled its second and final report on mental health and mental illness, entitled *Out of the Shadows at Last*, with the Clerk of the Senate on May 8, 2006.

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

On motion of Senator Kirby, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

[Translation]

THE ESTIMATES, 2006-07

FIRST INTERIM REPORT OF NATIONAL FINANCE COMMITTEE ON MAIN ESTIMATES PRESENTED

The Honourable Joseph A. Day, president of the Standing Committee on National Finance, presented the following report:

Tuesday, May 9, 2006

The Standing Senate Committee on National Finance has the honour to present its

SECOND REPORT

Your Committee, to which were referred the 2006-2007 Estimates, has, in obedience to the Order of Reference of Wednesday, April 26, 2006, examined the said Estimates and herewith presents its first interim report.

Respectfully submitted,

JOSEPH A. DAY
Chair

The Hon. the Speaker: Honourable senators, when shall this report be taken into consideration?

On motion of Senator Comeau, notwithstanding rule 58(1)(g), report placed on the Orders of the Day for consideration later this day.

(For text of the budget, see today's Journals of the Senate, Appendix, p. 120.)

• (1425)

[English]

ANTI-TERRORISM ACT

REPORT OF SPECIAL COMMITTEE PURSUANT TO RULE 104 TABLED

Hon. David P. Smith: Honourable senators, pursuant to rule 104, I have the honour to table the first report of the Special Senate Committee on the Anti-Terrorism Act, which deals with the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 113.)

[Translation]

THE SENATE

ROYAL ASSENT—NOTICE OF MOTION TO PERMIT ELECTRONIC COVERAGE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That television cameras be permitted in the Senate Chamber to record the Royal Assent Ceremony on Thursday, May 11, 2006, at 4:30 p.m., with the least possible disruption of the proceedings.

TRANSPORT AND COMMUNICATIONS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY CONTAINERIZED FREIGHT TRAFFIC

Hon. Lise Bacon: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on current and potential future containerized freight traffic handled at, and major inbound and outbound markets served by, Canada's

- i) Pacific Gateway container ports
- ii) east coast container ports and
- iii) central container ports and current and appropriate future policies relating thereto.

That the Committee submit its final report no later than March 31, 2007.

[English]

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON VETERANS' SERVICES AND BENEFITS, COMMEMORATIVE ACTIVITIES AND CHARTER

Hon. Michael A. Meighen: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on National Security and Defence be authorized to undertake a study on:

(a) the services and benefits provided to members of the Canadian Forces, veterans of war and peacekeeping missions and members of their families in recognition of their services to Canada, in particular examining:

- access to priority beds for veterans in community hospitals;
- availability of alternative housing and enhanced home care;
- standardization of services throughout Canada;
- monitoring and accreditation of long term care facilities;

(b) the commemorative activities undertaken by the Department of Veterans Affairs to keep alive for all Canadians the memory of the veterans achievements and sacrifices; and

(c) the implementation of the recently enacted Veterans Charter;

That the papers and evidence received and taken during the First Session of the Thirty-eighth Parliament be referred to the Committee;

That the Committee report to the Senate from time to time, no later than June 30, 2007.

QUESTION PERIOD

PUBLIC WORKS AND GOVERNMENT SERVICES

CONTACTS AS CAMPAIGN CO-CHAIR OF CONSERVATIVE PARTY OF CANADA

Hon. James S. Cowan: Honourable senators, my question is directed to the Minister of Public Works and Government Services. Last Thursday I asked a question of him with respect to a March 6 report in the *Ottawa Citizen* that said that in his capacity as national co-chair of the Conservative Party campaign in the last election he received donations on behalf of the Conservative Party from supporters in Quebec.

• (1430)

Despite the fact that Senator Fortier was sitting right beside her, the Leader of the Government in the Senate took the question on his behalf and responded:

...the newspaper article is erroneous. The Minister of Public Works did no such thing.

I sought clarification by asking:

He never received nor solicited contributions. Is that the answer?

Senator LeBreton: That is correct.

Imagine my surprise, honourable senators, when, no sooner had I returned to my office after the Senate rose, I received a call from the *Ottawa Citizen* reporter who referred me to a subsequent article, written by him on March 8, headlined, "Fortier admits receiving donations for Tory party."

That article quotes Senator Fortier as confirming that he had indeed accepted financial donations for the party during the recent election campaign.

Will the Leader of the Government in the Senate allow the minister to rise in his place today to clarify the situation? Or, if she will not allow him to speak for himself, will she consult with him before she answers my question?

[Translation]

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, the question asked last week was: did the Minister of Public Works solicit and accept donations on behalf of the Conservative Party?

My first observation is as follows — and everyone knows it here — there is nothing illegal about soliciting and accepting donations for a political party. It is obviously something a number of us have done in recent years.

However, to answer the question more precisely, I did not solicit and, in this sense, I did not accept donations. What I told a journalist and what I repeat here is that a donor, not knowing whom to give to, contacted my office, which simply “forwarded” his donation to the office of the Conservative Party.

The list of donors to the Conservative Party is posted on a web site, as you all know. I would encourage people to use a little more common sense before accusing a person of a conflict of interest.

I state once more that I did not solicit anything whatsoever during the latest election campaign and, in this sense, did not accept any donations following solicitation, but a donation was received in my office from a person who did not know where to send it.

NATIONAL DEFENCE

MEDIA ACCESS TO REPATRIATION CEREMONIES OF SOLDIERS KILLED AT WAR

Hon. Marie-P. Poulin: Honourable senators, yesterday, before the Standing Senate Committee on National Security and Defence, the Minister of Defence circumvented questions on spending for the Armed Forces by saying it took accounting tricks to make sense of the mishmash of the government's military budget.

In addition, he avoided the question on the government's position on the repatriation of Canadian soldiers killed in service abroad by saying that he had no objection to the media's having powerful cameras to film bodies as they are removed from the plane.

This government, which is at odds with the media, realizes that it is running counter to Canadian public opinion. Is it now trying to cover over its mistake and return to the policy of the previous government?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank the honourable senator for her question.

Unlike the previous government, our government is trying to do the right thing, not what is popular or what shows up in a public opinion poll.

Some Hon. Senators: Oh, oh!

Senator LeBreton: The repatriation of our soldiers from Afghanistan was fully covered by the media when their bodies left the Afghanistan theatre with a full ceremony. When they returned to Trenton, the media were there outside the perimeter. The Minister of National Defence is just trying to establish a policy that respects everyone, those who want media coverage and those who do not.

• (1435)

In the case of the four soldiers killed in Afghanistan, the families had the choice, supported by the Department of National Defence, to have full military honours and coverage of the funerals or the memorials, and that was the procedure that was followed. That procedure is the proper one to respect the wishes of all families, including those who do not want the media present at the moment of repatriation into the country.

[Translation]

Senator Poulin: Honourable senators, the Liberals do not need any lessons on respecting Canadian soldiers who die in combat. There was a time when soldiers killed in the line of duty were buried on site. It was under the direction of my colleague, Senator Roméo Dallaire, Force Commander at the time, that the order was given to repatriate bodies whenever possible. Do the Conservatives intend to go against this policy?

[English]

Senator LeBreton: Honourable senators, that question almost bears no answering at all; it is highly disrespectful of all Canadians, and mostly those people who valiantly serve our country overseas.

The fact of the matter is that the bodies of soldiers returned to Canada are repatriated now for burial in Canada. As I said in answer to a previous question from Senator Dallaire, there were many soldiers killed overseas in Bosnia, and there was absolutely no notice of their return. They were brought back into Canada with no flags, as I said, and no thanks.

This government is trying to respect the wishes of the families and pay honour to our fallen military in a respectful way. No one on either side of this house and no one in Parliament should be trying to politicize such an unhappy situation.

[Translation]

INTERNATIONAL TRADE

SOUTH KOREA—POSSIBLE FREE TRADE AGREEMENT

Hon. Pierrette Ringuette: Honourable senators, my question is for the Leader of the Government in the Senate. On Friday, April 28, on Don Newman's political program, international trade minister David Emerson indicated he was in the process of negotiating a free trade agreement with Korea.

What are the pros and cons of Canada entering into free trade discussions with Korea?

[English]

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question. I obviously will have to take it as notice. I will consult with Minister Emerson, although I think it is fair to say that governments past and present look for trading options all over the world.

Senator Ringuette: I will tell the Leader of the Government what such a trading option will mean: It represents the death of the shipbuilding industry in Atlantic Canada and Quebec, and it represents the loss of good jobs for Atlantic Canadians and a loss to the economy of Atlantic Canada; so that again her government can say that we have a culture of defeat.

Will the Leader of the Government table in this house the national and regional impact studies done with regard to a possible free trade agreement with South Korea before her government signs this deal and sets adrift Atlantic Canadians and Quebecers?

Senator LeBreton: It is rather brave of the honourable senator to ask this question because the shipbuilding industry in New Brunswick and Saint John thrived under a previous Conservative government and died under the Liberal government. I will take as notice the whole issue of shipbuilding. As I mentioned in my earlier answer, I will endeavour to obtain from Minister Emerson details of any negotiations he may have had or has yet to have with South Korea on the issue of shipbuilding.

• (1440)

Senator Ringuette: If I heard correctly, the minister will table in this house national and regional impact studies in regard to these current discussions.

Senator LeBreton: I did not say that at all. I said that I would consult with Minister Emerson about the status of any negotiations he may be having or may have in the future. I did not say that I would table impact studies, for I do not know if such studies exist.

THE ENVIRONMENT

BUDGET 2006—GREENHOUSE GAS EMISSIONS

Hon. Grant Mitchell: Honourable senators, David Schindler, a renowned University of Alberta environmental scientist, said in response to the government's recent budget: "Cutting greenhouse gas programs, there is no kind way to put it: It's stupid." The new budget literally guts the \$10 billion commitment by the previous government to reduce greenhouse gases. It is called the Green Plan, and the new government gutted it because they say it is inefficient.

Ironies of ironies, honourable senators, they then turn around and begin to tout the environmental value of their bus pass tax credit program, which a finance department briefing rightly points out will cost \$2,000 for every tonne of carbon dioxide that is reduced compared to the Green Plan's cost of as low as \$20 per tonne.

Why would the government mislead Canadians that the Green Plan is inefficient when it is as much as 100 times more efficient than the bus pass credit program that they are bringing in to replace it?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I did not see the report from Mr. Schindler. All I can say to my honourable friend is that, unlike the previous government that talked a lot about environmental greenhouse gas emissions, even though they rose

30 per cent above their targets, our government is committed to concrete actions that will deliver real results in Canada.

I read an article again this morning about some plan under the previous government that did not achieve any results. More money was spent on administrative costs than in helping people deal with this serious problem.

Senator Mitchell: It is interesting that the minister would say she read in the newspaper an article about inefficiency regarding the previous government's environmental programs because last week she said that she had reports and studies that indicated they were inefficient. Given that contradiction today here in the Senate, will she commit to table in this chamber the studies upon which the government has based its decision to gut the \$10-billion Green Plan brought in by the previous government?

Senator LeBreton: Honourable senators, I do not have any contradiction to answer for, although I probably contradict myself sometimes when I say that I do not read a lot of newspapers, which I do, of course. However, I did not read Mr. Schindler's report; that is the truth.

At the appropriate time, when we have developed a more reasonable and achievable environmental plan that will bring results to Canadians, I will be happy to table such documents.

Senator Mitchell: Honourable senators, how can the Minister of the Environment in the other place possibly play her role as this year's Kyoto international chair when both she and her government have clearly reneged on our international commitments to Kyoto and do not want to have anything to do with it?

• (1445)

Senator LeBreton: I believe the previous government reneged on their commitments when they overshot their targets by 30 per cent. I suggest that if the honourable senator is so concerned about the future political career of the Minister of Environment, he could always invite her to appear before the Senate committee.

JUSTICE

JUDGES' SALARIES

Hon. Lowell Murray: Honourable senators, the Honourable Leader of the Government in the Senate may wish to consult with the Minister of Justice on this matter if she does not have an up-to-date report.

My interest is in the government's plans with regard to the salaries of federally-appointed judges. The minister will recall that the Judicial Compensation and Benefits Commission reported in November 2004. The previous government responded to that report when it tabled Bill C-51, which died on the Order Paper at dissolution of Parliament in November 2005.

My question is: What is the position of the government on this matter? It will not have escaped the attention of the minister when the justices of the Supreme Court were present at the Speech from the Throne, that some of them had a lean and hungry look.

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Murray for his question. The Supreme Court justices are probably following the new Canada Food Guide rules, and are slim from eating proper foods.

This honourable senator is quite right when he says that commission reported in 2004, and the matter sat with the previous government for over a year and died on the Order Paper. This government recognizes that the independent Judicial Compensation and Benefits Commission is constitutionally required to make recommendations on judges' salaries.

These recommendations are being reviewed by the government at present, and we hope to move forward as quickly as possible. Ultimately, it will be for Parliament to consider and decide whether to approve the proposal that the commission presented.

[Translation]

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

BUDGET 2006—POST-SECONDARY EDUCATION

Hon. Claudette Tardif: Honourable senators, in its budget the government said:

...a good education is the key to a great future for our young Canadians.

It said it is necessary to foster excellence and facilitate access to our colleges and universities. To that end, the government is encouraging young people to enter a trade. It is taking measures to eliminate federal tax on all income from scholarships and bursaries and it is creating a tax credit for textbooks. These are commendable efforts.

At the same time it is expanding eligibility for the Canada Student Loans Program by reducing the parental contribution required.

Greg Albin, president of the Canadian Association of University Teachers, is concerned by the lack of assistance given to students and families who are burdened by the increased cost of post-secondary education.

[English]

In a letter published in the Sunday edition of *The Edmonton Journal*, Samantha Power, President of the University of Alberta Students' Union, reflected:

If the government had instead committed itself to creating more scholarships and bursaries, and reducing students' reliance on loans, then we could praise this budget...

Instead, this budget simply raised the amount of money students could borrow for school, and made more students eligible for student debt.

[Translation]

My question is for the Leader of the Government in the Senate. How will such a measure expand access to post-secondary education? Is it not a measure that will instead encourage students to go further into debt in order to pursue their studies?

[English]

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for her question. I hope she is not suggesting that students who do not go to university or college are in some way less worthy than those who do.

• (1450)

As a wife or a spouse of a blue-collar worker, I think that the efforts of the government to put money into apprenticeship programs and trades is laudable and supportable. Everyone who graduates, whether from a trade school or university, if they are so fortunate, is an equally worthy citizen.

I take the liberty of putting that on the record since Senator Tardif felt that she should make a statement as well.

We provide numerous measures to assist students in post-secondary institutions through a commitment of \$200 million over two years for university-based research and development, and a \$1 billion investment for colleges and universities through post-secondary education and infrastructure trust. We will help students directly through a new textbook tax credit for the cost of textbooks.

Senator Mercer: One free book.

Senator LeBreton: It is better than no free books, Senator Mercer.

This is in addition to the broad-based tax relief included in the budget. We will also help students in colleges and those studying in apprenticeships through the apprenticeship job creation tax credit and the apprenticeship incentive grant to help them get jobs. There is also a \$500 deduction for tools.

I am proud to say there will be full tax exemption for scholarship and bursary income, something that the Conservative Party has long supported, going back to the former Progressive Conservative Party, when Senator Atkins single-handedly drove this issue in the former party.

Students who receive a financial award based on academic excellence will no longer be penalized for their success. In 2006-07, the Government of Canada will provide approximately \$8 billion in support for post-secondary education, an increase of \$800 million over the previous year. Guess who the government was in the previous year?

[Translation]

Senator Tardif: Honourable senators, I will repeat my question, because I think that the Leader of the Government did not really understand it since she said many things but she did not answer my question.

The question is this: will Canadian students still have to go deeply into debt in order to attend university? Debt continues to be an issue.

[English]

Senator LeBreton: Honourable senators, students have many problems raising money, no doubt. My own family established a scholarship fund at a university here in Ottawa to help fund students.

As a start, this government has gone a long way to address the issues of students and their ability to fund themselves through university. Judging from the reaction to the budget, this measure with regard to students — whether they were in universities, colleges, or in the apprenticeship and trades programs — goes a long way to a positive start on this very serious issue. I thank the honourable senator for her question.

FOREIGN AFFAIRS

ARMS TRADE TREATY— ARMS EXPORT CONTROL CRITERIA

Hon. Romeo Antonius Dallaire: Honourable senators, when the Cold War ended, around the world, weapons producers continued in many circumstances to produce conventional weapons. In fact, Graça Machel, the wife of Nelson Mandela, has taken on a mantra with regard to child soldiers. She has raised two disturbing statistics that have been accepted by the United Nations.

One statistic is that over the last five years, nearly 2 million children have been killed as child soldiers. Second, the bulk of them were killed using light weapons, because of their availability and the fact that nearly 650 million of these light weapons are available around the world, often irresponsibly distributed.

• (1455)

My question is for the Minister of Foreign Affairs. Canada has been active in proposing and endorsing common, strict transfer principles to promote responsible transfers of small arms and light weapons. Canadian guidelines and practice, however, fall short of some of the emerging international standards to which Canada is committed through multilateral agreements.

Canada is politically and legally bound to follow virtually all elements of the global principles of the arms trade treaty. For example, the first principle of that treaty states, "All international

transfers of small arms should be authorized by the recognized state and carried out in accordance with national laws and procedures that reflect, as a minimum, state obligations under international law."

This principle restates section 2, paragraph 11 of the UN program of action with regard to small arms proliferation and the elimination thereof. Canadian political commitment to the UN plan of action requires Canada to ensure that it has those controls on the export of small arms and that they are consistent with this first principle. Similarly, legally binding obligations for treaties to which Canada is a party require the government's adherence to criteria that expressly prohibit states from approving the transfer of weapons. Will the Government of Canada adopt arms export control criteria consistent with the obligations by fully endorsing the principles contained in the arms trade treaty?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for that question as it deals with a serious issue. I will take the question as notice and direct it to the Minister of Foreign Affairs. He, as the senator knows, is in Afghanistan as we speak. I will undertake to provide a detailed response through Delayed Answers.

Senator Dallaire: By way of a supplementary question, we have mobilization stocks that are fairly extensive. When light weapons are no longer at the effective level needed by our Canadian Forces, we have looked at selling them to responsible governments, as have other countries. We have done that in the past, the argument being that having spent taxpayer's money on those weapons, we want a possible return given that they are still in good shape. We have a policy of trying to recoup some money rather than destroying the weapons.

The UN will hold a review conference this summer from June 27 to July 7. Will the Government of Canada lead the effort to ensure that the final conference document contains these global principles for small arms transfer based on state obligations under international law?

Senator LeBreton: That question is well stated. I take it as not only a question but as a bit of advice. I would be pleased to refer it to the Minister of Foreign Affairs.

PAGES EXCHANGE PROGRAM WITH HOUSE OF COMMONS

The Hon. the Speaker: Honourable senators, before proceeding to Orders of the Day, I would like to introduce a page who is with us from the House of Commons.

[Translation]

Louis-Philippe Bordeleau-Carignan from Bécancourt, Quebec, is studying in the faculty of social sciences at the University of Ottawa, where he is specializing in international studies and modern languages. I would like to welcome Louis-Philippe to the Senate.

Hon. Senators: Hear, hear!

[Senator LeBreton]

• (1500)

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 27(1), I give notice that when we proceed to Government Business, the Senate will deal with the items in the following order: consideration of the second report of the Standing Senate Committee on National Finance on the Estimates for the financial year ending March 31, 2007; third reading of Bill C-4, An Act to amend An Act to amend the Canada Elections Act and the Income Tax Act; second reading of Bill C-8, An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007; resuming debate on the motion of the Honourable Senator Nolin seconded by the Honourable Senator Andreychuk, for the second reading of Bill S-3, An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act; and resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-ninth Parliament.

[English]

THE ESTIMATES, 2006-07

FIRST INTERIM REPORT OF NATIONAL FINANCE COMMITTEE ON MAIN ESTIMATES ADOPTED

The Senate proceeded to consideration of the second report (first interim) (*2006-2007 Estimates*) of the Standing Senate Committee on National Finance, presented in the Senate earlier this day.

Hon. Joseph A. Day moved the adoption of the report.

He said: Honourable senators, the report has been circulated to you this afternoon. I would like to draw your attention to a few of the highlights of this first interim report, based on the 2006-07 estimates, that our Standing Senate Committee on National Finance had the opportunity to begin to study, pursuant to the referral of the estimates to that committee.

Honourable senators, thus far we have had two meetings on the estimates for 2006-07. These estimates for the various government departments are of expenditures they anticipate they will need or will make during this fiscal year.

Unfortunately, because of the unique circumstances of the election and the new government being formed, we are a little bit out of the normal cycle with respect to finances. The estimates that you have in what we sometimes refer to as the Blue Book are based on the 2005 budget of the previous government.

Subsequent to the new estimates coming out, a budget was filed by the new government. It was presented in the other place on May 2, subsequent to the preparation of these estimates. With

that in mind, honourable senators will appreciate that it is somewhat difficult for your committee to get to the essence of this government's plans with respect to the coming fiscal year; but we will, as time proceeds, have an opportunity to do that.

However, I will go through some of the points that we have highlighted in these particular estimates. The reason, honourable senators, that these estimates had to be filed is because we have standing rules that supply flows from estimates. Even though these estimates are imperfect in the sense that they are not reflective of all this current government's plans, they cover a great deal of the core government expenditures, which are necessary, irrespective of what party is forms the government. We can, from that point of view, deal with a number of the points that appear in the estimates.

Our initial meeting began with two representatives of the Treasury Board Secretariat, both of whom have appeared before us previously. They are becoming well known to us: Mr. David Moloney and Ms. Laura Danagher. All of us on the committee would like to thank them sincerely for their work in helping us through this rather complicated document to understand the government expenditures, department by department.

On the second hearing day, the honourable President of the Treasury Board, John Baird, appeared. I believe that was his first appearance before a parliamentary committee. We were pleased he was able to make himself available as quickly as he was so that we could proceed to complete this report.

The importance of this report is that it forms the basis for the supply bill that will begin second reading later this afternoon. It is our tradition in this place not to refer supply bills to the standing Senate committee, but rather to go from second reading into third reading, having in mind that the estimates are the basis for that supply bill. In fact, the schedule attached to the supply bill appears in the estimates and was part of our preliminary study.

Honourable senators, for your recollection, Part 1 of the estimates outline the government expense plan, and Part 2 includes the Main Estimates. Part 3 consists of a set of two departmental reports, the first being the report on plans and priorities and the second, the departmental performance reports.

In a normal cycle, we would have the departmental plans and priorities now, because they help outline for us where each department is going. However, because of the special circumstances — the change of government and a new fiscal year — the House of Commons order that was adopted there, which we will follow, is that the plans and priorities will not be filed until the fall.

Again, we will have some difficulty in getting a clear understanding, which is our obligation, of government planned expenditures. This cycle has been changed only for one year. We anticipate that we will be back into the normal cycle in the next fiscal year. It is an understandable change that I think all honourable senators, and certainly the senators on our committee, agree was necessary to allow the new government to get its feet under itself.

The Main Estimates are traditionally referred to as the Blue Book. However, as I have pointed out, other items as well as the Main Estimates appear in the Blue Book. The Main Estimates are broken down into budgetary and non-budgetary documents. Let me spend a short while explaining the difference.

It has taken our committee some time to get a clear grasp of these items; but once we did, the Main Estimates and the supplementary estimates that come along were easier to understand.

Budgetary expenditures include the cost of serving the public debt, which will come to about \$34 billion this year. Imagine, honourable senators, if we were able to remove our public debt; if, during these good fiscal times when we have surpluses, we could pay down that public debt even more than we have — over \$70 billion in the past 10 years has been paid down. Imagine if the \$470 billion outstanding public debt were to be removed; then \$34 billion would be available for other government initiatives.

Honourable senators, although we react to many demands on the government and many new programs to meet those demands, we must never lose sight of the fact that we carry a huge public debt. We talk about fiscal imbalance; the public debt of each province is considerably less than the federal public debt, and must not be overlooked when we deal with government surpluses.

• (1510)

I will now speak to the budgetary and non-budgetary figures in the estimates. The non-budgetary figures are loans and advances. While they make a change in the fiscal statement of the government; they are not expenditures. The budgetary figures are expenditures and are divided into two different categories, one of which is statutory, the other is voted. Parliament passes laws that give authority to the government to spend money. Statutory approval does not require a voted appropriation; that will be in the supply bill. However, in the supply bill, statutory items are included for the information of parliamentarians. That is an important step to follow. If we happen not to pass supply, those monies still could be spent because of other laws that we have already passed.

Traditionally, when you look at the Main Estimates, you will find that the statutory expenditures amount for more than the voted appropriations. We put so much authority in the statutes that we pass these days that the percentage is about two to one. Of the items that appear, 64.8 per cent are statutory and, therefore, do not require a vote in the supply. Honourable senators will see the trend in that respect.

The summaries that appear in the Main Estimates are helpful, especially the compilation of figures. As I mentioned, the public debt charges of \$34.395 billion are down from previous years because as our gross domestic product grows, the percentage of the debt payment against that total wealth generation goes down, and that is important. The percentage would go down faster if we were to reduce the accumulated debt. The amount for operating and capital is \$47 billion compared to servicing the public debt, \$34 billion. Where does the rest go? There are many fixed transfers, such as fiscal equalization, \$12 billion; Canada health

and social transfers, \$28 billion; elderly benefits \$30 billion; employment insurance, \$15 billion; payment to Crown corporations \$5 billion; and other transfers, \$26 billion.

Putting this in perspective, the operating and capital figures become a much smaller number and the service on public debt becomes a much larger number. The total of the Main Estimates for this fiscal year is \$205 billion.

Honourable senators, we talked at some length about Governor General's warrants and, with your indulgence, I will speak to the Governor General's special warrants when I deal with the supply bill. There was another Blue Book published with respect to Governor General's special warrants, which are used when Parliament is not sitting by virtue of an election and during the short period of time after Parliament returns. May 15 is the expiry date for the last available Governor General's special warrant for this government under section 30 of the Financial Administration Act. It is important for us to pass the supply bill before the end of this week so that the government can continue to do its business. Over \$15 billion has been used in Governor General's special warrants during this transition period between the call of the election in November 2005 until the return of Parliament on April 3, 2006.

Honourable senators, Treasury Board vote 5 is another area that has taken a great deal of our attention over the years and, I believe, the Senate Finance Committee has brought forward a good deal of success. Regrettably, the success is not as great as we had hoped it would be, and I will explain. Vote 5 is the amount of money for Treasury Board to use for unforeseen expenses. Treasury Board has a fund that can be sent to various departments for either temporary funding to provide for unforeseen expenditures or for permanent funding that could not have been predetermined. Therefore, it is in neither a supply bill cycle nor a statutory bill.

As soon as possible in the next supply bill, Treasury Board will be replenished with the funds that it set out, for which we will receive a full accounting. The committee tried to convince Treasury Board to tighten up that process. Over time, reports and questions on how they were coming along with respect to that process, they indicated that they had a new set of guidelines, which they were implementing. Unfortunately, an election was called and the process was not completed. We are assured by Treasury Board that they are following the guidelines, even though they have not been fully implemented. It is the intention of this government, the President of Treasury Board and other ministers to implement those guidelines. The committee members look forward to such confirmation and we believe we will be successful in that respect.

Honourable senators, funding for the Vancouver Olympics continues to be cause for concern. I would be pleased to continue, but I am content that the Deputy Chair of the Senate Finance Committee will carry on where I have left off. I respectfully request that honourable senators support this first interim report of the Finance Committee.

Hon. Anne C. Cools: Honourable senators, I rise to join in the debate on the First Interim Report of the Senate Finance Committee on the Main Estimates 2006-07. First, I wish to express my appreciation to our chairman, Senator Day, for what I would describe as his comprehensive review of the examination

of the estimates in the two Senate committee meetings as they occurred. I am certain all honourable senators are aware that we find ourselves in a unique situation because the normal supply process was disrupted by the election and the straddling of two fiscal periods. This report, as presented by the chair of the committee, was supported unanimously by the members of the committee. That fact should be recorded in the chamber. I lend my support as well in a highly public way.

Honourable senators, I will be speaking shortly on the bill and I will reserve many of my comments for that purpose. It should be emphasized that the estimates, as does the supply bill represent a great deal of money — \$205 billion, which is a quantum beyond the scope of most Canadians. We need to understand that when we examine and debate these bills in this chamber, they are not then referred to committee for further study. The evidence or grounds on which the bills are based are the actual estimates. This is an interim supply bill and these estimates will stay before the committee for continued examination until the end of this fiscal year, March 31, 2007.

• (1520)

In addition, honourable senators should know that the adoption of this report on the estimates is actually the cue or the order to the House to be able to approve the supply bill itself. There is always a bit of a parliamentary stress in terms of moving the two items together, side by side, in that the adoption of the report should happen and should occur before the bill is adopted; better yet, before the bill receives second reading.

Honourable senators, I want to place on the record that we are now in an era where it would appear the language of Parliament has been lost, the language of supply has been lost. I am one who believes that we must keep restating and reiterating these terms, these names and these principles so as to preserve what I consider to be the great heritage of ministerial responsibility, which is, in the end, what we call control of the public purse, control of public expenditure. If I could beat my own drum on that point, I certainly would like to do so.

The chairman also mentioned a victory in respect of what we call Treasury Board vote 5, “the contingencies vote.” The chairman understated the problem that this committee has had with Treasury Board vote 5 for many years. As a matter of fact, I have served on this committee off and on for about 20 years. The report uses the term “abiding.” That is precisely the word. As a matter of fact, that is my word, “an abiding concern.” However, there have been times within these committee meetings when certain senators have indeed been exercised by the use of Treasury Board vote 5. For years the committee has made recommendations and pleaded for correction. This victory I believe is larger than we see. Therefore, I am prepared right now to give Treasury Board the benefit of the doubt to see how this matter will move forward. I think it was Ms. Danagher who informed us that our recommendations were ready to be adopted, but because of the dissolution of Parliament, things came to a halt and the adoption was postponed. I understood from her remarks that she expected the Treasury Board ministers — the Treasury Board is a group of ministers, really — to adopt these guidelines as their *modus operandi*, as their way of managing affairs.

These issues should be debated more so that other senators do not feel that this information is arcane and cryptic.

In any event, it was a victory for the committee, however small, however large, and this I commend.

Honourable senators, I should like to move on by saying that I shall address in my speech later today the business of the Governor General’s special warrants because this topic has been by far the most dominant fact in the business of supply for the past several months. It is something that I am quite well acquainted with because I served on the committee back in 1989 under the chairmanship of Senator LeBlanc. That particular study of the Governor General’s special warrants continues today to be most instructive reading. I recommend both the testimony and the committee report to honourable senators.

I urge all senators to support this report and to adopt it with the full confidence that in the two meetings the committee held under the able guidance and hand of our chairman, committee members did a good job of examining the estimates with a mind to reporting to the chamber to meet the tight timetable on the supply bill this year. We find ourselves in what I would describe as exceptional supply circumstances.

The Hon. the Speaker: Are honourable senators ready for the question?

Senator Day: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and report adopted.

CANADA ELECTIONS ACT INCOME TAX ACT

BILL TO AMEND—THIRD READING

Hon. Consiglio Di Nino moved third reading of Bill C-4, to amend an act to amend the Canada Elections Act and the Income Tax Act.

He said: Honourable senators, I should like to add a few brief comments in the third reading debate on Bill C-4 regarding party registration.

Bill C-4 is an essential piece of legislation that will ensure that the party registration rules of the Canada Elections Act remain valid after May 15, 2006. The bill removes the sunset clause that was included in Bill C-3 and replaces it with a clause requiring mandatory review of party registration rules by committees of the Senate and the other place within two years. I emphasize “mandatory.”

I should like to thank all honourable senators who participated in debating this issue and for dealing with it in an expeditious manner. In that regard, I should also like to thank the members of the Standing Senate Committee on Legal and Constitutional Affairs. The committee heard from Minister Robert Nicholson, Leader of the Government in the House of Commons and Minister for Democratic Reform, and also heard from

Mr. Jean-Pierre Kingsley, the Chief Electoral Officer. Mr. Kingsley reiterated the importance of removing the sunset clause to ensure that we continue to have viable party registration rules including, most importantly, the ability to register and deregister parties.

The minister made it very clear that the government is serious about listening to the recommendations produced by the Senate committee. The Senate will therefore play a key role in this important process.

Once again, I should like to thank everyone for being so cooperative on this issue, and I call upon all honourable senators to please support Bill C-4.

Hon. Lorna Milne: Honourable senators, Bill C-4 was received by the Standing Senate Committee on Legal and Constitutional Affairs last week. During the committee's review of this proposed legislation, honourable senators agreed that the passage of the bill is urgent and that the mandatory review legislated by this act is a good thing.

However, many questions related to the Canada Elections Act amendments adopted under Bill C-3 from the Thirty-eighth Parliament were raised during the committee's discussion of the bill. If Bill C-4 is adopted, parliamentarians will be mandated to review those amendments in Bill C-3. I hope they welcome this opportunity to thoroughly review the questions raised in debate on this bill and I look forward to taking part in those discussions.

The senators on the committee also understood the urgency of having Bill C-4 passed before the sunset clause in Bill C-3 could take effect. However, the major concern raised by members of the committee was that while the committee review and report were due in two years, Bill C-4 is silent on when legislation might come about reflecting the recommendations raised by parliamentarians. Bill C-4 is open-ended. What will happen if the government itself never gets around to enacting legislation? Would the present unconstitutional situation continue? Will we have to wait until the Supreme Court of Canada once again tells us to get our act in gear?

I am interested to see what occurs once this review process is underway and how the government of the day will react to recommendations made by a Senate committee and a separate committee from the other place charged with reviewing the provisions of the Canada Elections Act that cover political party registrations. What will they do if both committees disagree?

• (1530)

Hon. Serge Joyal: Honourable senators, I rise this afternoon to speak on Bill C-4 because I hold the strong conviction that bills that deal with the electoral acts of Canada are of special importance in this chamber.

That may surprise honourable senators because there is a bias on Parliament Hill that non-elected parliamentarians should stay far away from anything relating to electoral acts. I believe that is a grave mistake. It is a grave mistake because the Canada Elections Act and the electoral system in general is an important part of our Constitution. Some of you may know David Smith, a professor

emeritus of political science from Saskatchewan. He has written, in a yet-to-be published book, an interesting chapter on the Canadian parliamentary system. He states that Parliament is a system whose parts embrace Crown, Senate and House as well as political parties and electoral processes.

In other words, the electoral system is an integral part of Parliament. The Senate being one of the three constitutional components of Parliament, we cannot but pay close attention to the electoral processes. This bill deals with the electoral processes in a particular way; it deals with the status of what we call the minority parties.

Until 2003, a minority party was one that ran less than 50 candidates. Until 2003, any party that did not run 50 candidates was not recognized and could not benefit from protection under the Canada Elections Act; that is, benefits under the Income Tax Act and access to publicity on CBC, Radio Canada and so on.

In 2003, the Supreme Court of Canada interpreted section 3 of the Charter of Rights and Freedoms as being consistent with the rights of minority parties to run any number of candidates in an election. Since 2003, a party can run as few as one candidate in an election, and that happened in the election of 2006. That change is a major one in the electoral landscape of Canada.

We asked the Chief Electoral Officer how many small parties ran candidates in the last election. The answer was that nine small parties ran candidates. The Animal Alliance Environment Voters Party ran only one candidate and the Christian Heritage Party ran 45 candidates. Nine parties were registered in the last election with less than 50 candidates, and those parties benefited from various provisions of the Canada Elections Act.

Parenthetically, this bill was proposed in this house last fall as Bill C-63. The bill, which the government of the day introduced, had a defect. As some of you will remember, the bill required only a committee of the other place and not a committee of the Senate to review the legislation. That was a major flaw. I have said many times in this chamber that when such bills come before our house, we amend them to re-establish the status of our committees and our role in reviewing government legislation.

The present government has corrected that omission, and it should be commended for that. I cannot resist a somewhat sarcastic comment about the work of the committee in studying this bill last week. No government members were at the committee, including the chair, for the first 20 minutes of the study of the bill. I said in committee that I thought it was unusual.

When the Supreme Court set aside sections of the Elections Act in 2003 at the request of the Communist Party, they cited section 3 of the Charter of Rights and Freedoms, which reads:

Every citizen of Canada has the right to vote in an election of members of the House of Commons —

— the Senate is not included —

— or of a legislative assembly and to be qualified for membership therein.

The Supreme Court did not interpret the right to vote as exclusive of the rights of political parties. The court said that under this section of the Charter, political parties have rights because they are essential in the electoral process stated. In fact, Justice LeBel, in a concurring opinion, stated that the party system is an important component of our democratic form of government.

This element is important because the issue of minority party rights is still an open issue. There is a case in the Ontario Superior Court of Justice in which six small parties, that is, parties with less than 50 candidates, are challenging the electoral financing act that we adopted in the previous Parliament. They are contesting the thresholds of 2 per cent and 5 per cent of votes to be admissible for reimbursement of election expenses, and for the benefit that the new system provides of \$1.75 per vote. Parties that do not reach the 2 per cent threshold of valid votes cast or the 5 per cent threshold in electoral districts in which the party has endorsed a candidate are not eligible for that benefit.

The minority parties are still in court fighting for their minority rights. It is important that we keep that in mind because Bill C-4 has limited terms of reference.

Bill C-4 states: That those committees of the Senate and the House of Commons, "shall each undertake a comprehensive review of the amendments made by this Act...."

The "amendments made by this Act" refer to Bill C-3 that was adopted in May 2004. You have to go back to that to understand what we will review at that Senate committee. Essentially, we will review the definition of political party; the status of officers, registered agents, auditors and members of political parties; the registration and deregistration of political parties and, of course, income tax amendments that deal with the status of those small parties.

Bill C-4 is a statutory term of reference to the Standing Senate Committee on Legal and Constitutional Affairs to review only a narrow set of issues in relation to minority parties. Of course, it follows that if this bill is adopted by this house soon and given Royal Assent, we will have two years to do that study.

As Senator Cools said at committee, many things can happen in the next two years. We might have another election in that time. The committee that has started the study may be recomposed. The same thing can happen in the other place, followed by another electoral process.

• (1540)

In other words, there is absolutely no deadline in the bill whereby at a point in time we will have concluded the registration status of a minority party. It is important to understand that, honourable senators, I am always suspicious when we have a bill of only three lines and we are told that it must be adopted quickly, that it is merely a housekeeping matter and that there are no problems with it. When we scratch those three lines we sometimes discover that the questions covered by them are all-encompassing for the electoral process of Canada.

In conclusion, honourable senators, I wish to paraphrase the words of a friend of mine, the Honourable Senator Murray, who,

in his excellent Address in Reply to the Speech from the Throne stated that it happens many times in the other place where they are supposed to be concerned about electoral matters while we in this place should not be concerned about such matters.

Out of curiosity I confirmed last week how the members of the House of Commons dealt with the bill. In the *Journals* of the House of Commons for Thursday, April 27, at 10 a.m., I found the following:

By unanimous consent, it was ordered, — That Bill C-4, An Act to amend An Act to amend the Canada Elections Act and the Income Tax Act, be deemed to have been read a second time and referred to a Committee of the Whole, deemed considered in Committee of the Whole, deemed reported without amendment, deemed concurred in at the report stage and deemed read a third time and passed.

Honourable senators, that procedure took all of 15 seconds.

As honourable senators know, I have been a candidate in various elections. In fact, I am still involved in the political process. As the Supreme Court has said, the political process is a component element of our constitutional order. As senators we must be concerned about the rights of minority parties. It falls on us to ensure that when we adopt legislation, such as Bill C-4, which deals with the rights of minority parties, we do so with proper concern for the rights of each and every citizen in this country to have his or her vote counted in the same way as votes for large national parties are counted.

I will certainly vote in support of this bill. As I said earlier, the proposed legislation is an improvement over the previous bill. We have to do it with the right concern that this question remains open and that we have not dealt conclusively with the rights of minority parties.

Hon. Anne C. Cools: Honourable senators, I wish to add a few quick words to the third reading debate on this particular bill.

The nature of my intervention is more of a plea, an entreaty almost. I ask the government not to be doing this sort of thing in a statute too many more times.

A short while back it seemed to be the fashion to put into statutes that the bill in question be referred to a certain committee and so forth. I am hoping it will pass away as most fashions tend to pass.

Senator Milne raised the important point that the bill does not address the issue of when the two Houses come to different conclusions or to opposing conclusions in their respective studies.

The important fact here is that no consideration has been given to what I would describe as the difference in the constitutional position of a study that is called forth by a house and a study which is a command by statute of the Queen in Parliament. Those two committee studies are not in the same position.

I have read somewhat on this subject, not recently but some time back. Perhaps at some time in the future we can begin to look at this issue.

I contend for another set of reasons that once the Queen in Parliament has told, ordered or commanded by her enactment that a committee should do a study, there is a great deal of obligation on Her Majesty's ministers to accept the conclusions of that committee. However, that is not the purpose of my intervention.

The purpose of my intervention is to urge caution and to urge, perhaps, more study on these important constitutional points before we continue the practice of throwing these kinds of references to committees into bills for whatever reason we may be doing that. I do not think it is good for the committee, for the issue or for the government.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to and bill read third time and passed.

THE HONOURABLE DANIEL HAYS

UNVEILING OF PORTRAIT

The Hon. the Speaker: Honourable senators, this is a very special day because at 6:00 p.m. this evening in the Hall of Honour we will be unveiling the portrait of Senator Hays, the former Speaker.

I wish to draw to the attention of all honourable senators the presence in the gallery of Ms. Kathy Hays, members of the Hays family, special friends of the Hays family, including Bill Teur, managing partner of Macleod Dixon, and John Brocke.

On behalf of all honourable senators, welcome to the Senate of Canada on this very special day.

APPROPRIATION BILL NO. 1, 2006-07

SECOND READING

Hon. Anne C. Cools moved second reading of Bill C-8, for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007.

She said: Honourable senators, the short title of Bill C-8 is Appropriation Act No. 1, 2006-2007. It provides for interim supply in the amount of \$43.5 billion for the current fiscal year April 1, 2006, to March 31, 2007. This interim supply bill was preceded by the Main Estimates 2006-2007 which were presented in the Senate on April 25 last.

On April 26, the Senate referred these Main Estimates to the Standing Senate Committee on National Finance for examination.

Earlier today, the Senate committee, in the person of its chairman Senator Day, presented the committee's report on these Main Estimates to the Senate.

• (1550)

What is different about the quantum this year is that this \$43.5 billion of interim supply represents not a mere three twelfths or three months, as is the norm in the normal supply process; instead, Bill C-8 is asking for nine twelfths or nine months of the total supply; that is, of the items set out in the Main Estimates, 2006-07, and included in the schedules to Bill C-8.

Honourable senators, that is an important point. Senator Day had alluded to what was unique about the circumstances around this particular supply process. We wish to be crystal clear so that we all know what we are voting for. In its demand to us to vote \$43.5 billion of interim supply, Bill C-8 is asking for nine twelfths or nine months of the total amounts set out in the Main Estimates 2006-07 and included in the schedules to Bill C-8.

Honourable senators, Bill C-8 seeks parliamentary authority in clause 2 in the following words that:

From and out of the Consolidated Revenue Fund, there may be paid and applied a sum not exceeding in the whole forty-three billion, four hundred and ninety-four million, six hundred and fifty-eight thousand, four hundred and thirty dollars and fifty-nine cents towards defraying the several charges and expenses of the public service of Canada from April 1, 2006 to March 31, 2007, not otherwise provided for, and being the aggregate of...

(a) nine twelfths of the total of the items set out in the Estimates for the fiscal year ending March 31, 2007 included in Schedules 1.3 and 2... \$30,619,976,223.75.

(b) Eleven twelfths of the total of the items in the Estimates set out in Schedule 1.1... \$6,303,923,163.68.

(c) ten twelfths of the total of the items in the Estimates set out in Schedule 1.2... \$6,570,759,043.16.

Honourable senators, we must be crystal clear. What I attempted to do is let the record show here the unique and peculiar circumstances around supply this year and also to leave very carefully for posterity the fact that this information was put clearly before us all and very clearly on the record.

Honourable senators, Bill C-8, interim supply, will allow the Government of Canada to cover its day-to-day operations and to defray its expenses.

Honourable senators, I shall explain this unusual bill, its unusual demands and its unusual supply process. Undoubtedly, most senators are aware that the supply process this year has been simultaneously accelerated, compressed, delayed and placed on a unique timeline, first in the Commons and now here in the Senate. This is so because the normal supply process, meaning the supply cycle with its supply periods, its examination of the estimates and its supply bills, was interrupted. The normal supply cycle was disrupted by the dissolution of Parliament on November 29, 2005. This dissolution and its corollary election period rendered the Houses of Parliament's adoption of Supplementary Estimates and its appropriation bill impossible.

Further, the general election on January 23, 2006 returned a change in government, being a minority Conservative government, with Prime Minister Stephen Harper and his government in the place of Prime Minister Paul Martin and his government.

Honourable senators, when Parliament is in dissolution, obtaining supply for the government is a ticklish and thorny matter, because it engages the delicate business of securing money or supply without the approval of Parliament; that is, without parliamentary appropriation, because it resorts to Governor General special warrants.

Honourable senators, the matter of special warrants has preoccupied parliamentarians for generations and has occasioned much debate, disagreement and sometimes bitterness. The matter of special warrants goes to the very existence of Parliament as the superintendent of the government in respect of the control of public expenditure. This matter goes to the heart of the constitutional system and to the phenomenon of the proper balance between the Royal Prerogatives in respect of the financial initiatives of the Crown and the powers and privileges of Parliament as a representative institution. It also goes to the very important representative power of the power to vote appropriation, parliamentary authority for expenditure.

The Financial Administration Act, section 30, describes the conditions and terms for the use of these Governor General Special Warrants, stating:

(1) Subject to subsection (1.1), where a payment is urgently required for the public good

(a) at any time that Parliament is not in session from the date of a dissolution until sixty days following the date fixed for the return of the writs at the general election immediately following that dissolution, and

(b) there is no other appropriation pursuant to which the payment be made,

the Governor in Council, on the report of the President of the Treasury Board that there is no appropriation for the payment and the report of the appropriate Minister that the payment is urgently required for the public good, may, by order, direct the preparation of a special warrant to be signed by the Governor General authorizing the payment to be made out of the Consolidated Revenue Fund.

Honourable senators, I wish to continue citing the Financial Administration Act, section 30, but I will insert here that these conclusions as expressed in section 30 embodied much concern expressed by senators and MPs over many years.

I recall a particular time when senators and members were quite exercised over the fact that the government had prorogued the Houses with the intention of using Governor General special warrants to be able to draw on money. There is a long history to section 30.

In any event, section 30(1.1) continues:

The Governor in Council shall not, in the sixty days referred to in subsection (1), direct the preparation of a special warrant referred to in that subsection when Parliament is not in session on any of those days by virtue of the fact that it is prorogued.

Honourable senators, the use of Governor General special warrants is ruled out during prorogation.

Section 30 continues:

(2) A special warrant issued pursuant to this section shall for the purposes of this Act be deemed to be an appropriation for the fiscal year in which the warrant is issued.

(3) Every warrant issued under this section shall be published in the *Canada Gazette* within thirty days after it is issued, and a statement showing all warrants issued under this section and the amounts of those warrants shall be laid by the President of the Treasury Board before the House of Commons within fifteen days after the commencement of the next ensuing session of Parliament.

(4) Where a special warrant has been issued pursuant to this section, the amounts appropriated thereby shall be deemed to be included in and not to be in addition to the amounts appropriated by the Act of Parliament enacted next thereafter for granting to Her Majesty sums of money to defray expenses of the federal public administration for a fiscal year.

• (1600)

Honourable senators, it clear in the text of section 30 that Parliament, in its wisdom, intended that the use of Governor General special warrants would be carefully circumscribed and extremely circumspect.

I have known many older people who had served in different parliaments across the world, and I have always been told that when ministers approached the question of using a Governor General special warrant, they did so in fear and trembling because the consequences used to be quite dire.

In any event, honourable senators, this section 30, as amended in 1997, after years of debate and much effort to change it, circumscribes the use of this instrument by the government and limits its use to dissolutions only, and never during a prorogation. This section is crystal clear that the circumstances for the use must be that Parliament is not in session because of a dissolution and general election, that there must be no other appropriation available from which a payment may be paid and, finally, that the payment must be urgently required for the public good. Over the years, many diligent parliamentarians have paid careful attention to the government's use of these Governor General special warrants. They have understood, as they should, the potential for their abuse. Parliamentarians have recognized the potential for circumventing Parliament, and they have also recognized the constitutional and political consequences thereof.

It is a large issue that commanded a fair amount of the committee's attention and time. In addition, the issue forms the backdrop for the unusual supply process we now find ourselves in. It is an unusual supply process, an unusual supply bill, and an unusual set of circumstances. I would also like to say to honourable senators that the government of Mr. Harper found itself in these unique circumstances and made an attempt to respond to, and even to manage, these unique circumstances.

Honourable senators, during this past dissolution of some weeks ago, both the outgoing government of Prime Minister Paul Martin and the newly elected government of Prime Minister Stephen Harper utilized the Governor General special warrants. From the dissolution of Parliament on November 29, 2005, until now, the Governor General, Her Excellency the Rt. Hon. Michaëlle Jean, issued four special warrants for a total of \$15.6 billion. Honourable senators, that is a stunning amount. That is an enormous amount by any standard, and that is the reason I have taken the time to place the law, the Constitution and the circumstances on the record. As a person sponsoring this bill, I take it seriously: \$15 billion is a sum of money most human beings will never, ever see. It is a huge amount of money, and we should treat it with the dignity and respect that it commands.

Bill C-8 recognizes that and addresses the use of these special warrants. Bill C-8 even asks the Houses of Parliament to vote to confirm these uses. In other words, Bill C-8 will ask both Houses to confirm these acts — not to vote on the quanta, not to appropriate but to make a statement acknowledging that this has happened, and that the Houses have taken note.

Honourable senators, Bill C-8 confirms the actions of Prime Minister Martin's Treasury Board President during the period from dissolution on November 29, 2005 to January 21, 2006, and also Prime Minister Harper's government during the period from February 20, 2006 to May 15, 2006. As Senator Day noted some minutes ago, May 15 marks the day of the expiration of the fourth and final of these Governor General special warrants. It is an important date on our parliamentary calendars.

Honourable senators, Bill C-8 treats these Governor General special warrants payments by dividing them into those made in the fiscal year 2005-06 and those in the fiscal year 2006-07 and then confirms them. Bill C-8 in clause 2.1 confirms the last Governor General special warrant in the amount of about \$11.5 billion as follows, saying:

The payment from and out of the Consolidated Revenue Fund of the sum of \$11,470,229,998.00 for the purposes set forth in the schedule to the special warrant signed by the Governor General pursuant to section 30 of the *Financial Administration Act* and to the order of the Governor in Council of April 1, 2006, (P.C. 2006-185) as published in Volume 140, No. 14 of Part I of the *Canada Gazette* dated April 8, 2006, is hereby confirmed.

If honourable senators look at the bill itself, the wording in the margin is "Confirmation of payment under special warrant for fiscal year 2006-2007." These matters are being put right up front for us.

Honourable senators, remember that I have been saying there were four Governor General special warrants. Bill C-8, clause 2.2, confirms the other three Governor General special warrants in the amount of about \$4 billion. If you notice, the clauses of the bill

lay out the dates, the authority, the Privy Council order and also the publication in the *Canada Gazette*.

Clause 2.2 confirms the other three Governor General special warrants in the amount of \$4 billion saying:

The payment from and out of the Consolidated Revenue Fund of the sum of \$4,177,925,813.00 for the purposes set forth in the schedule to the special warrants signed by the Governor General pursuant to section 30 of the *Financial Administration Act* and to orders of the Governor in Council of December 20, 2005 (P.C. 2005-2337), January 19, 2006 (P.C. 2006-4) and February 16, 2006 (P.C. 2006-106) and published in volume 140, Nos. 3, 7 and 11 of Part I of the *Canada Gazette* dated January 21, 2006, February 18, 2006 and March 18, 2006 respectively, is hereby confirmed.

Honourable senators, we are now in a day where the words "Consolidated Revenue Fund" are no longer widely known, but it was a great event in the history of the public finance and in the development of Parliament when all revenues were combined by government, by the king and treated as a Consolidated Revenue Fund. I have not looked at this for a long time, but I believe it was a process that began under William Pitt on the advice or thinking of Adam Smith.

• (1610)

Honourable senators, throughout this debate, we have continuously referred to Governor General special warrants. I do not wish to be misunderstood. Every time the government draws down on the Consolidated Revenue Fund, the government requires a warrant signed by the Governor General to do so. However, these warrants are different; they are called special warrants. In other words, there is an additional authority, an additional majesty, so to speak, around the question of drawing down on the Consolidated Revenue Fund when Parliament is not in session.

Honourable senators, as Senator Day has stated, a matter of great urgency requiring our attention is that the fourth and final and largest of these Governor General special warrants runs out on Monday, May 15, 2006, hence, the tight and pressing timeline on this particular appropriation bill. Bill C-8, the proposed Appropriation Act No. 1, now asks the Senate and the House of Commons to confirm the sums of money and the actions of the government for a total of \$15.6 billion in payments under the authority of Governor General special warrants.

Honourable senators, in the future, I wish that some of us would undertake further study of the exercise of these intricate prerogative powers. As countries fare, Canada is the most secretive about the actions and activities of the Privy Council, how the Governor General operates, and so on. Many Commonwealth countries are far more open in this process. I have friends in other Commonwealth countries who wonder about this secrecy.

Honourable senators, the recent dissolution election period and the subsequent opening of Parliament on April 3, 2006 straddled the important supply periods of the two fiscal years, being the end of the one and the beginning of the other.

On May 3, 2006, in the Standing Senate Committee on National Finance Senator Murray described the situation aptly when he stated:

What is unusual about the hitches in the present supply cycle is that dissolution covered parts of two fiscal years.

Honourable senators, “hitches” is a catchy word, so I propose to borrow it from Senator Murray. The normal supply process, already disrupted by one hitch, being Parliament’s dissolution, was further complicated by another hitch, being the peculiar fact that this election dissolution period covered parts of the two fiscal years, being the last month of the fiscal year ending March 2006 and the first month, April, of the fiscal year ending March 2007. I submit that that situation alone would present enormous challenges to any ministry, cabinet or government. I also strongly feel that governments should not be so hasty to use these warrants too frequently.

Honourable senators, as part of the very unusual supply process surrounding these estimates and Bill C-8, and for clarification purposes, the Treasury Board provided Parliament with an estimates document entitled, “Statement on the Use of Governor General Special Warrants for the years ending March 31, 2006 and March 31, 2007.” Part of the President of the Treasury Board’s response to the situation was to place this information before Parliament for greater clarification and understanding. This estimates document provided explanation on this difficult subject.

In addition, the President of the Treasury Board included a new table in the Main Estimates, also known as the Blue Book, at pages 1-99 to 1-104. This table provides a reconciliation of the supply and the payment obtained by the Governor General special warrants with both interim and full supply.

Further, on April 4, 2006, the Leader of the Government in the House of Commons, Mr. Nicholson, by motion, asked the House of Commons to accelerate and simultaneously compress the supply process designed to meet these unique circumstances created by the dissolution and its overlap of the two fiscal years.

Honourable senators, I will read the first paragraph of that motion. It was quite extensive and demanding. You may find it in the record of the *House of Commons Debates* at April 4, 2006, page 11. It is motion No. 2, paragraph 1:

Notwithstanding any Standing Order or usual practices of the House, on Wednesday, May 3, 2006, at fifteen minutes before the expiry of the time provided for Government Orders, the Speaker shall interrupt the proceedings then in progress and shall put forthwith and successfully, without debate or amendment, every question necessary to dispose of any motion relating to interim supply and for the passage at all stages of any bill or bills based thereon...

That motion has several other paragraphs. This motion then provided for the following timelines on the business of supply in the House of Commons being, first, that the Main Estimates be introduced on April 25, 2006; second, that the consequent interim supply bill be introduced on May 3, 2006.

Senator Murray: No, not “on” — “by.”

Senator Cools: I am sorry. The honourable senator is absolutely right; it says “by.”

I will reiterate: That the consequent interim supply bill will be introduced by May 3, 2006; that the subsequent full supply bill and process will be deferred until the fall supply period in December, 2006.

The result of this decision in the Commons was that this interim supply bill, Bill C-8, was designed and drafted to show the net requirements of the government until this December, and would cover the government’s operational requirements from April 1, 2006 until December. That is for nine months out of 12, which is nine twelfths of the total items set out in the Main Estimates and listed in the schedule to Bill C-8.

• (1620)

Honourable senators, by Bill C-8 it was provided that Part III of the estimate documents, called the Departmental Expenditure Plans, which include the Reports on Plans and Priorities and the Departmental Performance Reports, would be deferred; at least, their consideration and introduction would be deferred until the fall. This time delay would permit ministers and their departments to have the opportunity to recast their planning documents and estimates, thereby to align them with the new government’s plans and priorities, as the government would outline in its first budget on May 2, 2006.

In addition, by this motion, both Houses, the Senate and the House of Commons, and their committees, would later have sufficient time to properly examine the Main Estimates and to report back to their respective Houses by late November, coincident with the government’s introduction of the supplementary estimates in the House of Commons. This would be the new government’s first opportunity to place its own spending estimates, reflecting its own detailed plans and priorities, before both Houses of Parliament.

Honourable senators, it is understandable, important and necessary that senators continue to be concerned, and sometimes even exercised, about the government’s use of Governor General Special Warrants. I believe that the notion we call “control of the public purse” demands that we must be ever vigilant and attentive to the thorny question of a government’s conduct in meeting its financial obligations during an election period when Parliament is dissolved, and also a government’s conduct to engage Governor General Special Warrants to draw down on the Consolidated Revenue Fund.

Honourable senators, the dissolution that created these challenges was occasioned by the defeat of Prime Minister Paul Martin’s government on a question of confidence, an unforeseen event. That the consequent dissolution covered two fiscal years was the real challenge.

The principle must always be that parliamentary appropriations are necessary for payments out of the Consolidated Revenue Fund. The 3rd Report of the National Finance Committee, May 17, 1989, said that:

The Senate invites the House of Commons to join it in affirming that, subject to the *Constitution Acts, 1867 to 1982*, and except to meet unforeseen urgent requirements touching the public good, no payment shall be made out of the Consolidated Revenue Fund without appropriation by Parliament.

I was a member of the committee that produced that report. I believed that then and I believe it now.

Honourable senators, the newly appointed President of the Treasury Board, John Baird, appeared before the Standing Senate Committee on National Finance on May 3, 2006 to explain and defend the Main Estimates 2006-2007. He was joined by the officials from the Treasury Board Secretariat, being Mr. David Moloney, the Assistant Secretary of the Expenditure Management Sector; and Ms. Laura Danagher, Executive Director of Expenditure Operations and Estimates Directorate. Mr. Moloney and Ms. Danagher also appeared before the committee the day before, on May 2, 2006.

President John Baird was well received by senators. He was most affable. In fact, some fine humour was exchanged between him and Senator Art Eggleton, also a former Treasury Board President.

The president and the secretariat officials gave an explanation of the Main Estimates. All of this is fully described in the committee report that was presented here earlier.

Honourable senators, the Main Estimates 2006-2007 are the government's proposed expenditures for the fiscal year. These estimates reflect total budgetary spending of \$198.6 billion and non-budgetary spending of \$1.1 billion, for a total of \$199.2 billion. Of this amount, \$17 billion are voted appropriations, that is, voted by Parliament in interim-supply and full-supply bills.

The remaining two thirds, as Senator Day has said, are statutory spending. It would appear that this ratio is growing. Perhaps our committee should look at that some time, Senator Day. The remaining two thirds, about \$128 billion, are statutory spending. These amounts are presented in the Main Estimates for information purposes only, since they have already been approved by Parliament in other legislation.

Honourable senators, Treasury Board President John Baird was clear that the Main Estimates now before us represented the decisions made by the previous government but that future estimates later this fall will reflect the decisions of his government. Undoubtedly, this particular and unique supply process for this year is for 2006 only, and within short order the supply process will resume its normal cycle.

Honourable senators, this supply process and supply bill was designed — maybe not as good a response as many would like — but it was designed to meet unique circumstances and it represents the government's response to certain challenges and to certain difficulties that it had to respond to and manage.

Having said that, honourable senators, I urge you to support Bill C-8, the Appropriation Act No. 1, for 2006-07.

In closing, honourable senators, I would like to take the opportunity to thank the Senate committee chairman, Senator Day, for his work on these important matters of supply and estimates.

I would also like to thank all the other members of this committee. Looking around, I can see Senator Stratton, but I thank all the others whom my eye does not reach right now. I especially would like to thank Liberal senators for accepting the position of this government, sandwiched, as it was, between a dissolution election period and the difficult situation of the two fiscal years.

I would also like to thank the committee staff for their work on behalf of the committee. Finally, honourable senators, I would like to thank the President of the Treasury Board, John Baird, and the Treasury Board Secretariat officials, Mr. David Moloney and Ms. Laura Danagher, for their work on behalf of the government.

Honourable senators, I saved my final comment for the end because I was trying to separate it from the business of supply. I would like to take the opportunity, since this is my first fulsome speech, to congratulate the new leadership in the Senate, namely, Senator LeBreton, Senator Comeau and Senator Stratton, who have ascended to the positions of government leaders in the Senate.

I would also like to congratulate, on the side of the opposition, Senator Dan Hays, Senator Joan Fraser and Senator Joan Cook, on their elevation to these difficult and important roles of opposition leadership in this place. I would also take the opportunity to thank the outgoing leadership on both sides for their efforts and travails, and for enduring the vicissitudes of life as they visited them.

Finally, I would like to congratulate the new and the great senator. In the United Kingdom, the Lord Chancellor was known as "the great lord." This language has disappeared. The Speaker is not in the chair, I know, but I am looking towards the chair in the anticipation that he may appear momentarily. In any event, these are high offices. They were called "the high and great offices." The Honourable Noël Kinsella is now "the great senator." I would like to take this opportunity to congratulate him on his elevation.

I would also like to say that Senator Kinsella is an extremely gifted man. He enjoys a gift that I admire greatly, a gift in languages. Part of the role of the Speaker of the Senate of Canada, as the Queen's representative here in the chamber, is to travel abroad in place of Her Majesty's representative on some occasions.

I congratulate Senator Kinsella and all of my colleagues in the Senate. I wish you the very best in the coming year. Even when I disagree with you, I will still wish you the very best.

• (1630)

Having said that, I invite all honourable senators to adopt Bill C-8.

Hon. Joseph A. Day: Honourable senators, rather than thanking the same list of people, let me join with the Deputy Chair of our National Finance Committee in thanking everyone for their help in moving this important work of the Senate along. In particular, I would like to thank the Honourable Senator Cools for her support of me, as chair, and for acting as deputy chair in helping to do the important work of this committee.

Honourable senators, I had intended to spend some time talking about and trying to help us all understand the process of Governor General special warrants, but that has been so ably and thoroughly demonstrated by my honourable friend that it is not necessary for me to go into any detail. I agree wholeheartedly with Senator Cools when she points out that the expenditure of \$15.6 billion is indeed an important matter that needs to be given attention and consideration, with \$11.5 billion of that being in this fiscal year. As mentioned earlier, that runs out on May 15 and, therefore, there is some degree of urgency that the government be given supply to carry on after May 15.

Senator Cools has been pointed out that \$11.5 billion is referred to in this supply bill. The total amount of \$43 billion is inclusive of that \$11.5 billion and, again, takes the government to May 15. Conceptually, we can look at the Governor General special warrants for the period of April 1 to May 15 as a type of interim supply. In the normal fiscal cycle we would have interim supply from the first of the fiscal year to the end of June. Then we would have done full supply that would take us through the rest of the period. In the fall we would have supplementary estimates, if necessary.

In this instance, we had Governor General special warrants, and now we have what we call interim supply that will take us through to November and December. Then there will be full supply. We already know that we will be dealing with a substantial and significant Supplementary Estimates (A) and supplementary supply in the fall to reflect what we have already seen, and perhaps some other items in the budget of May 2. None of that, other than some department changes that the government announced, is reflected. Some funds have been moved from one department to another because the minister of that particular department has certain responsibilities. Apart from that, the significant government policy changes are not reflected in these documents.

During its review of the Main Estimates, the committee studied the proposed draft schedule to the supply bill. The first thing I did when I received the supply bill, Bill C-8, was to check that the schedule on the back of the bill was the same schedule we have been reviewing for the past several weeks as part of the estimates. I can assure honourable senators that it is.

That, in part, explains why we do not spend as much time dealing with the supply bill as such. The Senate has a process of dealing with supply usually within a week. The supply bill came to us on Thursday. There was two-days' notice for second reading — we are dealing with second reading today — and presumably if we adopt the bill at second reading today, we will deal with third

reading tomorrow. This, as opposed to the normal process of sending the bill to committee, the committee studying it and then reporting back to the chamber. We have already studied the content through the Main Estimates. I still believe that it is important to follow the normal steps.

Honourable senators, I do have some concerns. Senator Cools read out the order adopted in the House of Commons where they dealt with this bill so quickly. They dealt with billions and billions of taxpayers' money in a matter of minutes. It is important that we spend some time reviewing these proposed expenditures, even though we have not seen the entire outlay of expenditure from the point of view of this government. We can still see a lot of the core expenses.

Honourable senators, in a recent article, the figure of \$200 billion appears in relation to the estimates. That is all inclusive. The budget, without the supplementary expenditures we might see in the fall, already outlines expenditures of \$223 billion. What we are voting on now is based on \$200 billion versus the \$223 billion announced on May 2. There is some work to be done, but we generally know the direction we are going.

During our discussions with the President of the Treasury Board, we asked about the cost of the new government's accountability initiatives. We were told that the budget provides \$57 million for the federal accountability action plan, with an additional \$16 million for internal audit functions.

One of the promises that we hope is forthcoming is that a parliamentary budget officer be established. Bill C-2, the federal accountability bill, provides for a parliamentary budget officer who will work with the Library of Parliament. This officer has explicit responsibility for analysis related to parliamentary consideration of budgets and will work with the committees.

One of the complaints or concerns that we have had is not only how quickly this front end of government expenditure is dealt with, but our lack of resources to do the job properly. I compliment the government on this initiative, which will help our committees, both in the House of Commons and the Senate, do their work.

I have a slight concern that this parliamentary budget officer may be focused more on the House of Commons than the Senate, and we will hope that this concern is not born out.

Honourable senators, officers of Parliament are there to help parliamentarians. The House of Commons and the Senate do their job to hold the government and government ministers to account, to understand what they are doing and to question them. We need the resources to do that job. However, our committee has for some time pointed out that there is a conflict of interest when the government sets the budgets and the salary for members, officers and individuals who are supposed to be working for and providing information to parliamentarians so they can hold the government to account.

• (1640)

In an attempt to alleviate that concern, an advisory panel was created. This advisory panel, through the funding of officers of Parliament, was established in the fall. The President of the Treasury Board indicated that he will continue this advisory panel for a year.

The advisory panel makes recommendations to the President of the Treasury Board with respect to budgets for various officers of Parliament — the Information Commissioner, the Commissioner of Official Languages, the Auditor General and all of those groups and departments we have created to help us do our work. This advisory panel will advise the President of the Treasury Board as to what it feels will be appropriate.

The problem is that there are no senators on that advisory panel. The Senate has not been included, but we are the people who do most of the front-end analysis of proposed government expenditures. In the other place, a lot of attention is given to the after-the-fact Public Accounts — what has been spent and how has it been spent. We try to look at it from the front end, and we need assistance in that regard. We should be part of that advisory group. I am hopeful that the honourable Leader of the Government in the Senate will take that suggestion to heart. It is reflective of a mentality that perhaps the talent, willingness and anxiousness of individuals in this chamber to work for the betterment of the government are not recognized or appreciated when various committees and advisory groups debate certain issues.

In fact, a debate with respect to NORAD just took place in the other place. We have wonderful people in the Senate who have a focus on that type of issue, yet the government did not see fit to ask for any direction from this chamber. I make that point in passing because I see it, again, with respect to this Treasury Board advisory panel.

Honourable senators, your committee will continue to look at expenditures and proposed expenditures in a number of different areas. We are trying to encourage horizontal reporting. Because funds from a number of different departments are expended on a concept or initiative, we have asked for horizontal financial reporting so we can be apprised of the global cost.

It was your committee that first discovered there were concerns in relation to a number of past activities, and we want to continue to be on top of expenditures.

With respect to the Vancouver Olympics, we are all supportive of the concept, but we do not want expenses to run away without any constraints. That is why we asked for horizontal reporting. Where are all the expenditures?

For example, the first estimate for the Vancouver Olympics was \$310 million for capital and legacy costs. Then we heard it was up to \$497 million. We are now expecting a further funding request of \$235 million. That is without horizontal accounting. We do not know how much is tucked away in immigration or in security. We are hoping to see results from this new approach.

Honourable senators, the Deputy Chair of the Standing Senate Committee on National Finance has gone through the bill. She has talked about the fact that this bill is asking approval for the expenditure of \$43 billion to, in most instances, November/December and, in some instances, beyond because it is not a

straight-line expenditure for certain departments. Some, such as tourism, may spend more in the summer. Agriculture may need more money in the spring or the fall. Different departments have made greater requests in 10 or 11 months out of the 12 months. I fully expect that in the fall we will see a significant supplementary request and supply bill.

Honourable senators, it is important to keep in mind that this \$43 billion includes the \$11 billion interim supply to May 15 that which was given to the government under the Financial Administration Act by virtue of an election and the return from that election in the form of Governor General special warrants.

On balance, honourable senators, this is a reasonable bill for us to support at second reading. I believe that other senators wish to speak on this bill. I anticipate that if we have the opportunity to adopt this bill at second reading today, we will move on to third reading debate tomorrow.

Hon. Lowell Murray: Honourable senators, in an earlier debate this afternoon, Senator Joyal regaled us with an account of the 15-second legislative history of Bill C-4 in the House of Commons. My purpose in rising now is to provide a necessarily brief account of the brief legislative history of Bill C-8 in the House of Commons.

Senator Cools has made much of the extraordinary, if not unique, circumstances under which this interim supply bill is before us. Dissolution straddled two fiscal years and it was necessary to resort to Governor General warrants.

Further, it was quite understandable that the House of Commons and the government passed a motion on April 4 to ensure that an interim supply bill would be disposed of by the House of Commons by the end of the sitting day on May 3. With all of that, I have no difficulty.

However, passing that motion on April 4 gave the House of Commons one month in which to debate, if anyone wanted to debate, or to raise questions, about the interim supply bill. One would have thought that some brief affirmation of the power of the purse, however perfunctory, would have been in order, given that we are talking about \$43.5 billion of taxpayers' money — but no. They opened debate on this bill at 6:15 on the afternoon of May 3. They went through first, second and third reading in a matter of seconds. In the Committee of the Whole, they approved seven clauses and four schedules, gave third reading to the bill and that was it. There was not a single question raised of any substance nor a single point of debate, and the bill was through and on its way to the Senate.

I would have thought that someone would have asked about the \$15 billion in Governor General warrants that had been approved by the outgoing Martin government and the incoming Harper government during the period of dissolution. Perhaps someone might even have raised a question about the increase of

\$266 million in the estimates of the Department of Canadian Heritage — most of that money destined for the 2010 Vancouver Olympics. There are other examples that I could raise. However, there were no questions raised and there was no debate on any of those matters.

Let me say for the record again, as we have seen in the report of the Standing Senate Committee on National Finance that we adopted earlier today, all those questions and others were canvassed quite thoroughly — given the stage we find ourselves in — by our committee in the presence, first, of officials from the Treasury Board Secretariat and, at a second meeting, with the Honourable President of the Treasury Board, Mr. Baird, present to reply to our questions. He did so, quite satisfactorily. These estimates are before us and we will keep them before us until March 31, 2007. We will continue to do the job that the House of Commons seems unable to do in critiquing and examining the government's spending plans.

• (1650)

I find it a bit ironic that honourable members in the other place take it upon themselves so often to criticize the Senate and to hold themselves up as such vigilant and diligent protectors of the public purse and public interest, while unseen and unsung the Senate is continuing to do the work that the Fathers of Confederation intended we do.

The Hon. the Speaker *pro tempore*: Are senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker *pro tempore*: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and bill read second time.

The Hon. the Speaker *pro tempore*: Honourable senators, when shall this bill be read the third time?

On motion of Senator Cools, bill placed on Orders of the Day for third reading at the next sitting of the Senate.

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-Ninth Parliament.—(8th day of resuming debate)

Hon. Mobina S. B. Jaffer: Honourable senators, the Speech from the Throne offers a chance for the government to set out its priorities and plans for the coming session of government. The statement is read to parliamentarians by Her Excellency the Governor General to tell Parliamentarians what they should expect over the coming months — initiatives and priorities that

we will be asked to discuss, support and ultimately approve or reject.

Even though the Speech from the Throne is steeped in parliamentary tradition, it is intended for the people of Canada, especially when it is the first time that a new government has the opportunity to speak to Canadians in that capacity. Canadians want to know not only what the government intends to do with the mandate it has been given but also to get a feel for how they will govern, the character of the government and the vision they hold for Canada. What will our Canada be? What will our quality of life be?

One particular area of concern in the Speech from the Throne, which has been pointed out by a number of honourable senators in this place, is the government's plan for child care, or a plan for no-choice child care.

As a mother who has struggled with child care for my two children, and now a new grandmother of my grandson, Ayaan, and as a former President of the YWCA of Canada, I have great concern about this area of the throne speech. I will speak to honourable senators about the realities of caring for our children.

The Speech from the Throne and budgetary plan presented give me great concerns about the future of child care in Canada. When we talk about the care and development of our children, we must have a balanced approach that ensures individual choice and equality of opportunity for all Canadians. This can only be accomplished in the context of an integrated and responsive national program that ensures availability and quality of child care for all, regardless of their economic status. Overall, any national child care strategy must create a spirit of community in which new parents feel they have the support and choice they need to give their children the best start in life. Child care is not just daycare; it is the development of our children and the future of the Canadians who will help to support us. It is our responsibility to provide opportunities for early learning to prepare our children for the structured school system.

One of the first things we need to do as a country is get away from the idea that our child care policies should be about finding a place to deposit our children for the day until we have finished work. Parents will tell us that true child care is about child development that encompasses a holistic approach to developing a child's social, emotional and intellectual needs.

Honourable senators, child care has many facets. It could be a family living on reserve; it could be a single mother working night shifts; it could be a family in Vancouver that needs two incomes to get by; or it could be a stay-at-home mother in Toronto who wants quality professional support to give her children the best start in life.

Many in this place have spoken about priorities. Obviously, the government has chosen its priorities, but it must remember that each of the 30 million people in this country will have their own priorities. While some may match those of the government, others will not. Canada is a complex country that demands complex, well-thought-out policies for all people, not just for a select few. In order to develop our future leaders, an integrated child care program needs to be the priority of the government as it is for Canadians.

Honourable senators, I have a permanent image, forever carved in my mind, of the Minister of Finance reading Budget 2006 in the other place. He received a standing ovation when he announced that the government would invest in creating more jail spaces and hiring of 1,000 more police officers. While public safety is important, I believe it is more important to ensure that every child in Canada has its best start. In this way, we may not need as many prison spaces in the future.

Honourable senators, we must invest in our children now, otherwise we will have to continue building more prison cells in the future. That is not the Canada that Canadians want. Therefore, it is tremendously important that our child care strategy includes an integrated early learning and child care program.

Many honourable senators have drawn attention to the findings of the recent YWCA study on early learning and child care. They have called on parliamentarians to stand up and protect what they call a "burgeoning national program." I could not agree more. That is why I am dismayed by what has been laid out in the Speech from the Throne and Budget 2006 in the other place. What has been outlined is not a child care program; rather, it is a program that gives parents a small amount of money to continue to compete within the status quo.

The YWCA project revealed what parents are currently facing. They are struggling to find quality child care, often forced onto long waiting lists for spaces to become available or forced to seek child care well below the standards they want for their children.

Allow me to share with honourable senators some of the challenges that parents face. I believe they will help us identify the realities and challenges involved in caring for our children.

This is the story of one woman I spoke to recently in Toronto, in her own words:

I began my search for daycare in October 2005 when I was two months pregnant. One would assume this is sufficient notice to secure a spot in a daycare, but sadly it is not. I am on waiting lists at every daycare that I visited and some of these lists are 1.5 to 3 years long. I was told by one daycare supervisor that 80 per cent of the folks on the waiting list don't get in.

• (1700)

My question back to her was why have a waiting list where each person has paid a "waiting list fee?" The big picture question is why is there a waiting list for every daycare that I've approached? Clearly the number of women who would like to or need to go back to work and the daycare spots are inversely proportional.

Unfortunately \$1200 a year is not going to resolve this situation. I should have the option to go back to work and have quality child care available to me. Without a vacancy at a daycare, that option is being taken away from me.

Quality care is another issue. Why is there a gap between child care providers on food quality, educational programs and facilities? I've seen some fantastic places and then some

not-so fantastic places. I will not send my daughter to a place where I question the type of care she is receiving.

But some families do not have this choice and that is really unfortunate.

Honourable senators, an integrated child care policy is about giving parents not only choice, but ensuring that they have options to make the choices they want. We have to strike a balance between the needs of individuals and a desire to have national standards that allow all Canadians to access quality early learning and child development programs.

The government's policy does not strike a balance between the pressing needs of individuals and the need for national standards that will ensure all children have the best care. Instead, while we are claiming to offer parents choice, it takes away the options that parents want for their children.

Honourable senators, allowing the care of our children to be dictated by the fickle hand of the market will not ensure national standards and will not create the desperately needed spaces. Again, this does not give parents a choice. It takes choices away.

Honourable senators, I know that all of us here would agree that this is not how we want to raise our children. The YWCA, the second-largest provider of early learning and child care services in the country, recognized in their findings that it is the government's responsibility to fund early learning and child care services. The YWCA called on us to enact legislation to ensure high-quality early learning and child care that is accessible to all, regardless of socio-economic status. None of this is before us today.

The YWCA has called for coherence in services, incentives to provinces and territories to encourage them to integrate their systems within a publicly funded, not-for-profit system. This is not before us today.

The YWCA recommended that governments at all levels focus on creating a coherent public policy — one that supports the development of qualified early learning and child care professionals. This is not before us today.

Instead, existing agreements with the provinces have been cast aside. In fact, nothing before us today seeks to create an integrated national child care program.

I would again like to share with senators a personal story; this time one that I believe helps to demonstrate the substantial impacts that the type of quality child care we should be pursuing can have for parents in this country.

Recently, a grade 7 teacher and mother of three shared her own story. She spoke not only of how important it has been for the development of her own children to have quality child care professionals helping her along the way, but also for how important it has been to her personally to continue to teach other Canadian children in her professional life. Unfortunately, this

mother had to fight to ensure her children had access to the child care she wanted for them. She experienced Canada's shortage of quality child care first hand, especially where her youngest son was concerned. She said:

In early fall 2001, we were number 60 on one child care centre's list for September 2002 registration. How unbelievably hopeless we felt. At one point we went from spot 11 to spot 7 on one excellent centre's list. I remember this was getting closer to crunch time. However, must have been what, March? April? We then found a centre which was geographically close to home in a lovely, serene setting with fabulous teachers on whose list we were placed third.

We had almost, but not quite, hit the jack pot. I remember visiting the centre. I was on my very, very, very best behaviour. I was so worried that I wouldn't make a good impression. Given how often I called to remind them of my existence I am truly surprised that we were indeed fortunate enough to have garnered a space in their centre. And right from the start I knew it was going to be good. And it was.

The care my children received was fabulous. I really did like both of our sitters. But the care at the centre was different. The teachers were trained professionals. Not only did they have a wealth of knowledge about the developmental needs of my children, but they also had a wealth of experience in reassuring me each and every day that I was not a bad person for choosing an additional occupation to motherhood.

Regardless of my choice, there were days when tears would burn in my eyes as I left my babies, who themselves would sometimes be tearful — particularly my daughter who had been with me more than not. I would call the centre minutes after I began my drive to school only to find out that my child had stopped crying the minute I walked out the door and was happily playing on the computer with other "friends." And when they heard the tears of guilt in my voice, those wonderful teachers would always validate my choice — they never made me feel I was shirking the responsibility of motherhood.

Honourable senators, these are the types of choices we should be facilitating for Canadian parents. Our child care deserves nothing but the best. From the continent from which I come, there is an African saying: It takes a village to raise a child. I believe that is the spirit we should encourage when we look to create a child care policy.

Parents are the most important people in a child's life, but I know few Canadians who would like to face the challenge of parenting without the support of a caring community of friends and family. I know that I would not be standing here in front of you today if I had not had the support to raise my children without the help of a caring community of family and friends, and I know that my son and his wife will want to raise my grandson, Ayaan, with the help of a caring community of family and friends as well. I hope that they will be able to do so.

Honourable senators, my son and his wife are on a waiting list for a daycare.

Senator Stratton: How long?

Senator Jaffer: They put their name on a daycare waiting list one month —

The Hon. the Speaker: Perhaps if the honourable senator were to ask permission to continue, she might find consent in the house.

Senator Comeau: Five minutes, maximum.

Senator Robichaud: Ten minutes. It is a good speech!

Senator Jaffer: Honourable senators, my son and his wife are on a waiting list for a daycare space.

Senator Stratton: How long?

Senator Jaffer: They put their names on many daycare lists when my daughter-in-law was one month pregnant. She will need a space in May 2007 and has been told by eight daycare centres that her chances of getting a place are slim.

Canada is a large, global country. We are comprised of people of all generations and all origins. Our goals have become more diverse as well, and the lengths to which we go to achieve these goals have also grown. New parents must sometimes move to find the best jobs and they cannot always count on families to be close at hand when a child comes into this world. Therefore, parents must know that there is a spirit of community in child development. They need to feel that they have qualified and caring people who will support them. Parents must have access to these resources. Parents need to raise their children in a Canadian village.

A national child care strategy must take this into account. What we have before us today does not even come close. The plan that has been initiated in the Speech from the Throne does not strike a balance that meets the needs of individuals. It does not ensure access to intended spaces and support for parents throughout this country, and it does not offer an opportunity for the holistic development of our children.

• (1710)

The parents in the stories I have shared with you today will not have the options because of the plan that is before us today. As a Canadian and a recent grandmother, I appeal to our government to make the right choices and choose the right priorities for the sake our children, because we can either pay now or pay later by having more prison cells.

Build on agreements that have already been put in place and consensus that exists between various levels of government. We must have the courage to build an integrated child-care program that addresses the needs of individuals, creates quality spaces with strong integrated standards and builds a spirit of community in which our children are assured the best start they can possibly have.

Honourable senators, I have carved in my mind an image of when the Minister of Finance stood up and announced that there would be more prison cells. I watched as the Minister of Finance announced that he would be investing in hiring 1,000 police officers and building more jails. He received a standing ovation from his caucus. Honourable senators, I dream of a day when the Minister of Finance will announce not only a child-care program but an integrated early-learning and child development program. I believe that both sides in the House of Commons as well as those of us here in the Senate and parents across Canada will give him a standing ovation on that day, because that will contribute to building a healthy community for us all.

Honourable senators, we owe this to our children. They are not our loved ones; they are our future. They will continue to build our great country.

Hon. Jane Cordy: May I ask the honourable senator a question?

The Hon. the Speaker: There is one minute remaining in the allotted time.

Senator Cordy: I thank the honourable senator for her excellent speech. As a mother who worked outside the home, I identify strongly with the child-care issue. I agree that the so-called child-care program of this government is not a child-care program but a rejuvenation of the old family allowance program with which the Mulroney government did away, I assume, because it was not helping those who needed it.

The minister responsible for child care spoke about choices, as did the senator in her speech today. I can agree with choices for those who have good incomes. In that situation, one parent can choose to stay at home and \$100 a month would be beneficial. However, what child-care choices are there for \$100 a month before taxes —

The Hon. the Speaker: The extra time allotted has expired.

[Translation]

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I am delighted to have this opportunity to participate in this debate in reply to the Speech from the Throne. As some have pointed out, this is the first time in 13 years that a Conservative government has been in a position to offer an action plan like this one. Senators on this side of the chamber have been slow to offer the government advice, comments, and of course, criticism, to ensure that it fulfills its commitments, stays on the straight and narrow, and takes into account the best interest, wishes and well-being of all Canadians.

I would first like to congratulate Senator LeBreton on her appointment as Leader of the Government in the Senate. She is an approachable and effective colleague for whom I have a lot of respect. Even though our respective roles dictate that we must sometimes cross swords, I hope that we will be able to resolve many of our disagreements as we work toward compromises and agreements that are in the best interest of all Canadians.

[English]

I again congratulate Senator Comeau and Senator Stratton on their appointments. I have worked with them in the past and look forward to doing so in the future.

[Senator Jaffer]

I also wish, particularly for the benefit of my Conservative family, to congratulate my member of Parliament, the Right Honourable Stephen Harper, on his election victory. This is the first time that Calgary Southwest has been represented by a Prime Minister. Although I am bound to carry out my role of Leader of the Opposition in the Senate, I share the admiration of Calgarians at his success.

I wish to express congratulations and thanks as well to the mover and seconder of the Address in Reply to the Speech from the Throne on their speeches given before the Easter break. I congratulate them for launching our debate in such a fine manner. Senator Segal and Senator Champagne do honour to this chamber through their passion, eloquence, intelligence and experience.

Though we, on this side, will often disagree with them on matters of policy, strategy and approach, we nonetheless hold them in high regard, value their contributions and commend them on their dedication to public service to this country.

Honourable senators, I wish to thank my colleagues in the Liberal caucus for placing their trust in me by asking that I serve as their leader in opposition. I know that I follow in the footsteps of Senator Allan MacEachen and the late Senator Royce Frith, who led the opposition in my time as a senator. They are two of the finest parliamentarians and Liberals with whom I have had the pleasure to work. I also extend my thanks to those who have led the government during my time in government for their important and invaluable contribution.

I am deeply moved by the confidence placed in me. I will endeavour to be worthy of that trust and pledge to defend the values, ideals and philosophy that unite us as a party and that have helped build our country. Moreover, I take pride in my association with the Liberal Party, not only for the outstanding leadership it has provided our country over the years, not only for being the most successful political organization since Confederation, but also for laying so much of the groundwork that has made Canada one of the most progressive, tolerant, free and enlightened societies in the world. From health care to old age pensions, from unemployment insurance to the Official Languages Act, from student loans to the Charter of Rights and Freedoms and fiscal responsibility, the Liberal Party has designed and implemented measures and programs that are now inextricably woven into the fabric of our nation.

The Liberal Party has always been the party of reform and progress, the party that has seen our country's potential and has done more than any other to unleash, nurture and encourage it. It remains the party of those committed to eradicating injustice, exploring new horizons and developing new opportunities.

I salute and commend those Liberal prime ministers with whom I have had the privilege to serve — those being Pierre Trudeau, John Turner, Jean Chrétien and Paul Martin — for contributing so much.

Although we are now in opposition, we remain proud of our accomplishments, dedicated to Liberal principles and inspired by Liberal ideals. We will continue to draw on them as we review the new government's programs and legislation, as we remind it of its commitments and as we urge it to action while we hold it to account.

[Translation]

The part we intend to play on this side of the House, honourable senators, will focus on striking a balance between our duty to oppose the government, propose amendments and suggest alternatives, and the governing party's duty to govern.

In the Senate, the Liberal majority has an important responsibility to carry out its duties while taking into account the will of the people who gave the Conservatives a plurality — not a majority — of the seats in the House of Commons.

That said, Conservatives in the Senate must face the fact that they are in the minority. As my predecessor, Allan MacEachern, put it:

In our system, all legislative assemblies function according to the majority principle, and the Senate is no exception.

We will strive to avoid confrontation — and its opposite, complacency — as we carry out our duty to protect, vigilantly and attentively, the interests and well-being of all Canadians.

• (1720)

[English]

Honourable senators, over a month ago the Speech from the Throne was delivered in this chamber, offering an outline of the new Conservative government's agenda for the next Parliament, an agenda committed to providing an accountability act, GST reductions, a child-care allowance, tougher crime sanctions and patient wait-time guarantees, while making passing reference to parliamentary reform, national unity and strengthening our influence in the world.

While we believe the speech contains some positive proposals, we remain concerned about its numerous shortcomings and various oversights. My colleagues who have spoken on this order have outlined them well.

We realize the government has undertaken, in its own words, to turn over a new leaf, to change the way things are done, stand up for Canada and distance itself from the previous government. However, we note that in turning over the new leaf it has at times opened its book onto a sparsely written page.

Moreover, we note that eminent political commentators have expressed strong reservations about the five measures contained in the Speech from the Throne. Some even go so far as to qualify them as "substantively dubious."

Throughout the election campaign, Canadians heard the leader of the Conservative Party say how much governments and politicians had to be reined in, made more accountable and made to submit to stricter ethical guidelines. I remind my colleagues opposite that it was a Liberal government that took the necessary steps to ensure that those who did wrong in the sponsorship scandal faced full public scrutiny and that they will bear the legal consequences of their actions.

In the Prime Minister's response to the Speech from the Throne, I noted that he made comments that went further, in my opinion, than he should have when he attempted to make all Liberals guilty by association for the actions of a small group of individuals.

The vehicle the Conservatives have chosen to bring about this change is the government's five-point plan, a commitment to enact accountability legislation to empower the independent officers of Parliament, have more open government, eliminate insider lobbying and establish better controls over the financing of political parties. The overarching objective of this measure is to restore the credibility of government and the public's confidence in it.

Honourable senators, we on this side support many of the measures proposed by the government, especially where they seek to improve services to Canadians and enhance the trust they place in their government. However, we also believe the key to earning the trust of Canadians involves the first step of striving to improve government accountability by matching promises with action.

The government argued forcefully on certain issues during the campaign, but we note the inconsistencies between what was preached and what is practised. In particular, we note the government's commitments on electing senators. We also underline the Prime Minister's comments on lobbyists during his time in opposition and in the election campaign, which we believe are inconsistent with the appointment of a defence lobbyist as Minister of National Defence.

The chapter on accountability in the Speech from the Throne contains a provision of particular note, namely, the section dealing with commitments to strengthen access to information legislation. During the election, the Conservatives promised to provide the Information Commissioner with the legal authority to compel the release of public records, expand the scope of his authority to cover nearly all public organizations and ensure that public officials create the records needed to document their actions and decisions. However, in a special report tabled on April 28 following the introduction of the Federal Accountability Act, Information Commissioner John Reid voiced serious concerns saying that no previous government since the Access to Information Act came into force in 1983 has put forward a more retrograde and dangerous set of proposals. He stated that the Conservatives told Canadians one thing in opposition and during the election campaign, and are delivering something different now that they are in office.

Besides accountability, another page in the Speech from the Throne and in the Conservative government's five-point plan is a commitment to cut the Goods and Services Tax by 1 per cent. We on this side believe that taxes should be reduced. Indeed, the previous government took serious steps to do so while in government, implementing a \$100-billion tax cut, the largest in Canadian history, as was noted by the Leader of the Opposition in the other place. However, we believe such cuts should follow sound economic policy.

[Translation]

As officials with the Department of Finance have pointed out, reducing the GST is the least effective tax break, while reducing income tax is three times more effective in terms of Canadians' prosperity and welfare.

The Canadian Tax Foundation estimates that reducing income tax would benefit the middle class twice as much as cutting the GST.

Honourable senators, I will note at this point that the Harper government will offset this reduction in the GST by eliminating measures introduced by the previous government, including the \$500 increase in the personal income tax exemption.

The government will also cancel the reduction in personal income tax rates, a measure that had decreased the lowest tax rate from 16 to 15 per cent.

In the budget, this rate has been set at 15.5 per cent, which will increase taxes.

Moreover, this reduction in the GST will have little impact on our economy other than to stimulate consumer spending, at a time when economists agree that investment and saving would be more beneficial. It will help wealthier families at the expense of low and middle income earners.

In short, this tax reduction is not in the economic interests of all Canadians. Rather, it is a measure that attempts to deceive Canadians, a measure introduced in order to keep an ill-conceived election promise, a measure that does not make for either good social policy or good economic policy.

[English]

The next leaf in the Conservative's five-point portfolio, and perhaps the most controversial one as we have heard today, is the child-care policy, providing every family with \$1,200 in taxable benefits for each child under six years of age. The new government's proposal includes credits designed as well to encourage business to create child-care spaces in the workplace and community.

To set up this system, Conservatives have committed themselves to ending the national daycare program our Liberal government had built in cooperation with each of the 10 provinces. This program was based on a nationally shared consensus pertaining to early learning and child care. It had established clear principles, measurable goals and ensured cooperation among provincial governments in terms of sharing knowledge and best practices.

Conservatives, however, viewed this national program as an unwarranted intrusion into family life. It has given notice that it will cancel the agreements.

Although providing a \$1,200 cheque may be popular, a closer look at the numbers reveals this program does little to provide proper daycare services. Worth repeating here is that the Caledon Institute of Social Policy estimates that a couple where both people work and earn \$36,000, just above the poverty level, will

see only \$420 of the \$1,200 after their social benefits have been taxed back. To put it more simply, their child-care allowance would work out to only \$1.60 a day. Even if that amount were \$4 a day in the case of a two-earner couple, where the lowest earner makes \$40,000, that amount would not nearly cover the cost of adequate daycare.

It was noted in *The Globe and Mail* last month that you cannot claim that \$1.60 to \$4.00 per day per child is a plan, or even part of a plan, for something called child care.

Honourable senators, although we on this side disagree fundamentally with the government's approach to child care, we do, however, welcome and support its proposals to improve our health-care system by providing guaranteed wait times to patients.

• (1730)

Moreover, we take special pride in the government's commitment to pursuing a policy initiated by the previous government and designed to ensure that provinces work together to establish wait time guarantees.

That being said, we still have serious concerns about the government's commitment to the principle and practice of universality in health care, and we will be watching with great care.

The final page in the government's five-point plan pertains to law and order. Honourable senators, all of us support safe streets and secure communities. The government proposes to deal with this problem by imposing heavier sentences, putting more law enforcement officers on the street, placing greater limits on parole, accompanied, we are informed, by implementation of the long-standing commitment of the Reform-Alliance, and now Conservative Party, to eliminate the gun registry, on which point the Conservatives have chosen to act against the advice and wishes of law enforcement officials from across the country.

However, the government's fixation on law and order must be looked at in context. In fact, crime rates have fallen by 12 per cent over the last 10 years, something we believe attributable to substantial investments made by the Liberal government in programs such as the National Crime Prevention Strategy and the Youth Employment Strategy.

Moreover, according to Statistics Canada, violent crime dropped considerably between 2001 and 2004. The rates for attempted murder, sexual assault, robbery and property crime have dropped. Thus, it seems that the government's approach to reforming the justice system needs more work before it corresponds to the genuine needs of Canadians. Perhaps, at the very least, the new government needs to make a more convincing case that justifies its action on this file.

Honourable senators, besides the five priorities, the government's Throne Speech included various other leaves to be turned over, including Senate reform. However, the government's new leaf of Senate reform was vague and sketchy, saying only that it wanted to ensure that the institution better reflect "both the democratic values of Canadians and the needs of Canada's regions."

[Senator Hays]

Honourable senators know the Conservative government wishes to elect senators. There is, however, no discussion of its plan on how to implement this change. How would the government bind itself to summon only properly elected nominees?

Senate reform has been a controversial issue since the earliest days of our nationhood. Much has been said and debated about it, with opinions expressed on everything from abolition to maintenance of the status quo. Some 28 major proposals for Senate reform have been made over the last 40 years, none of which have succeeded because no consensus existed on any of them among the various political actors who have authority over such matters, most notably among the prime minister of Canada and the premiers of the day.

It is increasingly understood that we cannot elect senators in a vacuum. We need to address other issues, such as whether elected senators would exercise more of the considerable powers the constitution gives us. We also need to understand how senators would be elected, as well as discuss the distribution of seats among provinces and territories. In short, we need to understand the full ramifications of this initiative.

As an Albertan, I am no stranger to the issue of Senate reform, and I am among those who believe our institution can and should continue to modernize. However, I also believe that changing the selection mechanism for senators from appointments by the Prime Minister to election by the people or a provincial legislature will be very difficult to do without amending the constitution.

I remind honourable senators that the federal government referred two questions to the Supreme Court of Canada in 1979, one of which asked whether Parliament had authority to unilaterally change the method by which senators were selected. The court answered that Parliament did not have that authority, saying:

... it is our opinion that while section 91(1) [of the Constitution] would permit some changes to be made by Parliament in respect of the Senate as now constituted, it is not open to Parliament to make alterations which would affect the fundamental features, or essential characteristics, given to the Senate as a means of ensuring regional and provincial representation in the federal legislative process... In our opinion, its fundamental character cannot be altered by unilateral action by the Parliament of Canada and section 91(1) does not give it that power.

The election of senators cannot be implemented in a vacuum. Additional or corresponding reform to the structure of our institution would need to be considered and possibly implemented if the reform exercise is to benefit our political system. There needs to be some way as well for the people of Canada to directly participate in the debate that must take place on the government's proposal. We might give consideration to referring this subject to a Senate committee to update the work done by the BeaudoinDobbie Committee in 1992, which dealt extensively with this; by the Molgat-Cosgrove Committee in 1984, which

dealt exclusively with this matter; by the Goldenberg Committee in 1980; and, in particular, by the Lamontagne Subcommittee, which also dealt exclusively with this subject.

As the government considers this proposed reform, moreover, it should keep in mind that any fundamental change to the Senate should heed lessons from the past by carefully examining the nature of the various proposals made, the context surrounding them, and the reasons for their failure. The government must ensure that any such changes reinforce and complement our democratic institutions, that they better define and improve the Senate's representational role and efficiency as a legislature, and that they are not made merely for short-term political considerations.

Honourable senators, I could delve more deeply into other issues, particularly as they concern First Nations, agriculture, our country's commitments abroad, the environment, the government's fixation on security and other subjects, but I will leave those matters for other occasions.

For the moment, I conclude by saying that we will examine closely the government's five-point plan to govern. We have noted inconsistencies in light of past Conservative commitments and we have pointed to shortcomings. Though we agree with the government on several aspects of the Throne Speech, our duty is to oppose measures we disagree with, and oppose is what we will do where need be.

If Parliament is to be preserved as a living institution, if the freedoms of Canadians are to be ensured, the opposition must fearlessly and resolutely perform its duties, as was done by those opposite when they were on this side of the aisle.

As the late Right Honourable John Diefenbaker said, the opposition's duty is:

... to uphold the rights of minorities against majorities. It must be vigilant against oppression and... unjust invasions of people's rights. It must supervise all expenditures. It must find fault; suggest amendments; ask questions and elicit information. It arouses, educates and moulds public opinion by voice and vote. It must scrutinize every government action to prevent shortcuts through democratic procedure.

In short, public interest demands that the policies, programs and actions of the government be submitted to the rigours of methodical doubt, careful analysis and diligent opposition. That is our challenge and responsibility, and that is what we intend to do.

As I have explained, though there is much that we agree with in the Speech from the Throne, there is, nonetheless, much that is lacking.

Consequently, honourable senators, I, as was done in the other place, move the following amendment to the Address in Reply.

[Translation]

MOTION IN AMENDMENT

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I move, seconded by Senator Fraser:

That the motion be amended by deleting the period at the end and adding the following:

and, while this House acknowledges the broader agenda mentioned en passant in the Speech, it particularly looks forward to early and meaningful action on such promises as those respecting Aboriginal Canadians, new immigrants, greater security for seniors, improvements in the environment, and increased supports for farm families; and, given the strong economic and fiscal situation which the Government inherited, this House sees no reason for tax increases or a decrease in anticipated early learning and child care spaces in Canada.

Hon. Wilbert J. Keon: Honourable senators, I am very pleased to share with you my reaction to the recent Speech from the Throne.

• (1740)

[English]

Allow me also to add my congratulations to you, Mr. Speaker, on your appointment. I heard that you would be our Speaker in church about a month before there were any formal announcements. While it is the custom of the Prime Minister to appoint the speaker, this was divine intervention.

Allow me also to congratulate the leaders on both sides of the chamber. There is excellent leadership on both sides, and I am sure that we will have a productive session.

There is one special person I must say something about. I have had the pleasure of walking a lady down the aisle twice in my life. The first time was with my wife some 45 years ago, and the second time was with Senator LeBreton when I walked her down the aisle of the Senate. If I am a little partisan, you can understand.

The desire for change recently expressed by Canadians will naturally have an impact on the future of our health-care system. I believe that change as it relates to health care does not have to be feared. There are enormous opportunities before us to build on the many encouraging initiatives that have been gathering steam over the past decade or so as the various levels of government have started to work effectively together to address the many problems of our health-care system.

I would like to focus my remarks today on a specific pledge in the Speech from the Throne, namely, the Patient Wait Times Guarantee. As the Governor General said in the speech, Canadians are paying through their taxes for health care that has often been slow in coming. Our new government intends to do something about that through the guarantee. This pledge has its roots in the Senate, and that is something we can all be proud of.

The Patient Wait Times Guarantee is unquestionably the centrepiece of the Conservative government's health-care plans. Canadians have consistently identified the inability to access care and excessive waiting times as being among their most serious concerns regarding the health-care system. The facts have borne out these anxieties. Figures from the Fraser Institute tell us that the average time between a referral from a general practitioner to treatment by a specialist almost doubled between 1993 and 2004.

I would like to begin by reminding all honourable senators of the work done by the Standing Senate Committee on Social Affairs, Science, and Technology, known as the Kirby committee and ably chaired by Senator Kirby, which had a direct impact on the new Conservative government's plans for a guarantee.

In October of 2002, the Standing Senate Committee on Social Affairs, Science, and Technology issued a comprehensive report entitled *The Health of Canadians*, which looked at the federal role in Canada's health-care system. The report proved to be prescient as it argued that waiting lists and delayed access to health care meant that the system would be open to legal challenge with respect to section 7 of the Charter of Rights and Freedoms, which states the following:

Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Last June, the Supreme Court ruled that individuals in our country have suffered and, in some cases, have died because of their inability to access timely health care. The thrust of the *Chaoulli* decision can be summarized in Chief Justice Beverley McLachlin's succinct words, "Access to a waiting list is not access to health care."

As you may know, when the Supreme Court struck down the Quebec provincial legislation banning private medical insurance, it stated that the prohibition violated section 7 of the Canadian Charter of Rights and Freedoms and section 1 of the Quebec Charter. Although the Supreme Court ruling applied only to Quebec, it is not hard to extrapolate the consequences of its message beyond that particular province. Government should not prevent people living in an open, democratic society such as ours from obtaining health services at their personal expense if the publicly funded system does not provide timely access.

While the judgments from the high court have provided some clarity, it is also true that the *Chaoulli* decision has led to a good deal of uncertainty as to how we move forward from this point. The court did not prescribe any solution to be followed, and, indeed, it should not have done so. As a result, we have witnessed an ongoing debate in this country on how governments and service providers should respond to the ruling. One thing is certain: Our health care system cannot continue on the same path for much longer.

I recognize that others have taken an opposite view of the importance of the Supreme Court decision, and perhaps there are many in this chamber who would disagree with me. However, it is my strong belief that the ramifications of this ruling will be with us for a long time. There could even be similar judgments ahead. We cannot say with absolute certainty what the future holds, but I am convinced that the *Chaoulli* decision has presented us with an opportunity for change that we must promptly seize.

In its report, the Social Affairs committee devised a response to the long wait list, which we perceived to be primarily administrative in its nature. Our proposal did not claim to solve directly the problems related to wait times. Instead, the report should serve as an incentive for governments and service providers to deal with underlying problems in the system that manifest themselves in long wait times. Wait times in and of themselves are not the central issue here. They are an easily identifiable sign and symptom of a health-care system in need of reform.

The committee viewed timely access as the provision of services consistent with clinical guidelines to ensure that a patient's health is not negatively affected while the patient waits. We felt it was important to give timely access a specific definition, as opposed to basing it on patients' fears and apprehension about their well-being.

We recommended a health-care guarantee that would assure timely access to high-quality care. This guarantee would legally oblige governments to provide patient care within clinically determined times. If care is not provided within the specific time, the government would be obliged to pay for the patients to receive that care in a different jurisdiction, whether in another city, province or country.

The rationale behind this idea is simple. As a monopoly supplier of health care under the medicare system, the government must accept the responsibilities that go along with that role. Those responsibilities include a requirement to meet certain service standards defined by the use of maximum waiting times.

I am pleased to say that the core of this idea was adopted by the Conservative Party of Canada as a patient wait time guarantee became a key element of the party's platform. In fact, this particular pledge was identified by Prime Minister Harper during the election campaign as one of the five top priorities of the new Conservative government.

Since the election, the federal government has repeated this vow, and in the Throne Speech the government has committed itself to working closely in conjunction with the provinces and territories to develop the guarantee.

Honourable senators, similar examples already exist. The Saskatchewan Surgical Care Network uses clinical guidelines to set maximum surgical wait times for all patients. Patients are assessed using a common set of criteria, and they are given an urgency score that places them on one of six priority levels, each level having a targeted time frame for surgery. This was the first province-wide, comprehensive system of its kind in Canada, and I think it has proven to be beneficial.

Last fall, the Saskatchewan provincial government announced that the number of patients waiting more than 18 months for surgery had dropped by a third over the last year. Although Saskatchewan's guidelines for care are not legally binding, the initiative demonstrates that this approach for dealing with long wait lists is feasible. We have also witnessed similar success in the

Cardiac Care Network of Ontario, in which I played a leading role as chairman of the committee twenty years ago. The framework behind these experiences is one that can be translated into a legal commitment right across the country, which is what the Patient Wait Times Guarantee provides.

• (1750)

Some may say that setting targets for timely care is all that can be realistically done to address the wait-list problem. However, simply establishing targets evades the need to put in place incentives for government and providers to meet the standards they devise. Nothing in the 2004 First Ministers Health Accord would bring change and accountability as much as a legal commitment to timely care that forces governments to make substantial changes to the health care system or to pay a penalty. In this case, the penalty would be the cost of paying for their citizens to receive services elsewhere. This possibility will work as a great motivator.

The Patient Wait Times Guarantee is a positive step forward and responds to the Supreme Court's ruling in the *Chaoulli* case by dealing with the root of the wait-list problem. It also serves to protect our system while complying with the principles of the Canada Health Act, which is of tremendous importance.

In February, the Quebec government released its response to the Supreme Court decision. That response proposed that a patient in need of hip or knee replacement or cataract surgery who did not receive treatment within six months would be sent to a public facility elsewhere in the province or to a private facility in the province. As Senator Kirby and I wrote in a published opinion piece in February, the Quebec discussion paper was the first serious attempt in our country to give practical, detailed content to the care guarantee.

I recognize that there has been criticism of Quebec's plans insofar as the province's guarantee will only apply to a limited number of procedures. This may frustrate some who believe a broader selection of procedures should have been considered, but I believe it is an important first step.

Quebec is not alone in putting forward its ideas. The Provinces of British Columbia and Alberta have also indicated in recent months that they understand their obligation to provide patients with timely service. Much has been said in the media about Alberta's plans, in particular, but a significant amount of this has been speculation, as we have not seen much in the way of details at this point.

Honourable senators, change in our health care system does not have to be feared. Too often, change has been equated with potential for violating the principles of the Canada Health Act. While the government stated that a timely health care system will require innovation, the Throne Speech also clearly told Canadians that these new approaches to health care delivery will be consistent with the principles of the Act.

Although it was not released with great fanfare or intense media attention, I am pleased to say that the 2002 report of the Standing Senate Committee on Social Affairs, Science and Technology contributed greatly to this entire area.

A greater focus on health care reform from a public that is better informed — through our report, as well as the Romanow Commission report — is incredibly positive. Public notice places more pressure on those in charge to fix problems and to be accountable for whatever action they take.

Along with the encouragement of the public, the support of the provinces and territories will be critical as the federal government moves towards its plans for a guarantee. I cannot emphasize this enough. The Minister of Health, Tony Clement, has said that he believes the provinces are in favour of the guarantee and that progress has already been made in discussions. Indeed, the benchmarks are progressing extremely well. This is encouraging news.

Honourable senators are aware that a minority government presents obvious challenges, no matter which party holds power. I am optimistic that the new government's health care plan will gain broad support in Parliament, and I feel this is a realistic expectation. Although their platform's version of the patient guarantee was slightly different — that is, the wait-time guarantee as opposed to a care guarantee — I believe this is a very wise first step.

A wait-time guarantee for defined procedures and situations should be achievable with reasonable expediency through benchmarking initiatives and the progress with the benchmarking initiatives has been far better than anyone could have hoped for. The broader issue of the care guarantee could subsequently be addressed incrementally once benchmarking initiatives have been achieved. The positive bonus here is the tremendous improvement in quality of care as standard benchmarks are implemented.

The Hon. the Speaker: Has the honourable senator sought permission from the house for another period of time?

Senator Fraser: Five minutes.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

Senator Keon: I thank honourable senators for their indulgence.

Honourable senators, we have seen tremendous quality improvement in the level of cardiac care in Ontario since the Cardiac Care Network has been implemented.

Canadians expect politicians at all levels to work together in their best interests, especially when it comes to ensuring that they have timely access to the best possible health care system. Canadians want their government to provide effective, high quality and efficient publicly-funded health care to everyone in accordance with the principles of the Canada Health Act.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I rise to respond to our government's Speech from the Throne. I begin by congratulating Senator Hays in his new role as Leader of the Opposition in the Senate. Senator Hays will be celebrated later today when his official portrait as Speaker of the Senate is unveiled.

Senator Hays is a skilled and respected parliamentarian. I look forward to working with him as we go forward in this most unique, but not unusual position of a government which is heavily outnumbered by the opposition in the Senate. It is hoped that we can work in a spirit of cooperation and friendliness.

Honourable senators will know that the Speaker of the Senate ranks fourth in the order of precedence after the Governor General, the Prime Minister and the Chief Justice. There is no position in our parliamentary system of government that symbolizes a higher standard than the position of Speaker of the Senate. Therefore, the choice of Senator Kinsella is most fitting and marks another chapter of an already illustrious career. It is an honour to work with him, and I wish him all the best.

I also wish to extend congratulations to my seat mate, Senator Comeau, the Deputy Leader of the Government in Senate, and Senator Stratton, the Government Whip in the Senate. I know that they will carry out their duties with the same competence and integrity that has characterized their service in the Senate thus far, and I thank them both sincerely on my behalf and on behalf of the Prime Minister for agreeing to take on these onerous tasks. Most of all, I value their friendship and advice.

My friend sitting behind me, Senator Tkachuk, manages to keep control of the agenda as Chair of our Senate Caucus and Vice Chair of the Conservative National Caucus. I thank him sincerely for his friendship over the past 32 years of working together.

I wish to point out that I was only marched down the aisle twice in my life: Once by my husband, and once by Senator Keon when he escorted me into this place with the then Leader of the Government in the Senate, Senator Lowell Murray.

Senators Champagne and Segal, the mover and seconder of the address, are two of our most recent additions to our Senate caucus. I am certain that I speak for most, if not all, senators when I say that we have already benefited immeasurably from the richness of their contributions and deliberations in this chamber.

I also wish to welcome Senator Nancy Ruth, who now sits in the Senate as a member of the government. She is a terrific addition to our caucus, and she has already fully immersed herself in committee work and caucus activities.

Last but not least, I wish to acknowledge and welcome our newest addition to this chamber, our colleague the Honourable Senator Michael Fortier, Minister of Public Works and Government Services, who brings great skill and integrity to his new responsibilities. We are fortunate that people of his calibre make the decision to serve. On behalf of us all, I would like to welcome Senator Fortier.

Honourable senators, the response to the Speech from the Throne is a valued and time-honoured Parliamentary tradition. Debate on the address in reply to the Speech from the Throne is wide-ranging. The subject matter is unlimited. As we have already heard, senators bring forward issues relevant to their particular regions, to Canada as a whole and even beyond our borders to the world at large.

I wish to use my opportunity to speak today to address the issues outlined in the Speech from the Throne that I believe are most important to Canadians. I will conclude my remarks with some reflections on the continued role of the Senate as part of our parliamentary system. I will address how I hope this chamber will function and evolve in the course of this session and in parliaments to come.

• (1800)

Honourable senators, on January 23, 2006, Canadians voted for change. The message I heard from Canadians on the campaign trail, over and over again, as I personally accompanied the then Leader of the Opposition, now Prime Minister, is that they are tired of excessive partisan games, political grandstanding and empty rhetoric. They want Parliament to get to work. They want our work to be done ethically, accountably and transparently. They want to be able to respect their parliamentary institutions and their members of Parliament, whether they are sitting in the House of Commons or in the Senate.

Our Conservative government is ready to take up that challenge and lead the change that Canadians are demanding. "Turning a New Leaf," the title of the Speech from the Throne delivered by Her Excellency the Governor General on April 4, exemplifies this new direction.

The priorities of our government laid out in the Speech from the Throne for this, its First Session of Parliament, are crystal clear. I want to emphasize "this First Session of Parliament" because when I listen to the opposition in this chamber and to the opposition in the other place, all of the misdeeds and all of the actions of the past 13 years which we addressed in the campaign cannot be addressed in the first Speech from the Throne in the First Session of Parliament. I think that most Canadians know and appreciate that fact.

Our government began its work with the introduction in the other place of the government's first bill, C-2, the Federal Accountability Act, just as we promised. This act will strengthen the way that government does business, which will respect our country's laws, rules and institutions and will provide more transparency and accountability.

To quote from the Speech from the Throne:

No aspect of responsible government is more fundamental than having the trust of citizens. Canadians' faith in the institutions and practices of government has been eroded. This new government trusts in the Canadian people, and its goal is that Canadians will once again trust in their government. It is time for accountability.

Honourable senators, accountability is what Canadians expect from their government; it is what they deserve; it is what we must deliver. Bill C-2 will change the way that politics and government are conducted in this country, and it will change for the better.

Second, our government promised and will provide tax relief to Canadians, beginning with a reduction in the Goods and Services Tax. Canadians will see the first reduction from 7 per cent to 6 per cent, which was in our government's first budget presented on May 2. A further reduction to 5 per cent is planned over the next five years.

It is not without a touch of irony, honourable senators, that one remembers, when the GST was first introduced by a Conservative government, that the Liberal senators of the day engaged in what can only be diplomatically described as unsenatorial behaviour in their efforts to prevent the GST from being introduced at all. Now they are taking up the charge against even a 1 per cent reduction. Back then, in 1990, Paul Martin described the GST as a "regressive and unfair tax on living which will harm the economy...creating an administrative nightmare for small businesses."

In 1993, Jean Chrétien called the GST "the worst tax in Canadian history," and I need not remind colleagues opposite how often his government promised to scrap the GST or eliminate the tax.

The Hon. the Speaker: Honourable senators, it now is six o'clock. Pursuant to rule 13(1), I am obliged to leave the chair until eight o'clock, when we will resume.

The Senate adjourned during pleasure.

• (2000)

The sitting was resumed.

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY AS AMENDED ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Champagne, P.C., seconded by the Honourable Senator Segal, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the First Session of the Thirty-Ninth Parliament.—(8th day of resuming debate)

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I was speaking to the GST. I ended by saying that I will not remind those Liberal senators who are present to recall how often their government promised to eliminate or scrap the GST.

Our government, the new Conservative government under Prime Minister Stephen Harper, will reduce the GST as part of our plan to grant an across-the-board tax relief to Canadians. This government will also take steps to make our streets and communities safer. We will start by addressing gun crime in our cities and communities. We only have to think back to this past weekend to know there is a huge problem. We read in the newspapers about a young police officer and father who was

gunned down in his neighbourhood in Windsor, Ontario. We also read about an elderly gentlemen in Ottawa who was bound and gagged in his home, the victim of a home invasion.

Our government will introduce mandatory prison sentences for serious drug trafficking offences, weapons offences and crimes committed while on parole. We will also strengthen our border security, particularly at ports and airports, and consolidate security services under a new national security commissioner.

More police officers will be trained and put on our streets. This will be done following negotiations with the provinces to create new cost-shared programs. New money will be invested in youth-at-risk programs to ensure that fewer young Canadians fall into a life of crime. Our government will also provide real support to Canadian families through our universal child care plan.

Honourable senators, there has been much comment about the child care plan of the previous government and, as we all know, the child care plan was actually completed with only three provinces. The financial commitment to the child care program was for one year of a five-year program. The Prime Minister at the time extended the program to 10 years in the midst of the election campaign. To know how late in the day this child care plan was brought in, or not brought in, one need only turn to a key person in the Liberal party, and I quote from CanWest news services on March 27, 2006, the man the Liberals have assigned to assemble their blueprint for party renewal says the defeated government's national daycare program was "a death bed repentance," the gun registry was "an administrative disaster," and the response to the sponsorship scandal was bizarre.

I am quoting Tom Axworthy, a former aide to Pierre Elliott Trudeau, who teaches at Queen's University. He also said that the former government's Kyoto policy was not only difficult to understand, it was not real anyway.

Our universal child care plan is two-fold. We will provide parents with \$1,200 a year for each child under the age of six and we will work with businesses and community groups through our Community Childcare Investment Program to create 25,000 new child care spaces annually.

• (2010)

Honourable senators, when I was travelling on the election campaign, I had an opportunity to visit a child-care facility located at a major plastics manufacturing company in Bolton, Ontario, north of Toronto. It is a tremendous child-care facility right on the premises where the parents work. I have seen many child-care facilities in my lifetime but I have never seen one so well run and so well equipped. The kind of child-care facility that works in cooperation with business and community groups is the kind that we are aiming to develop.

I know that some have incorrectly categorized our plan as taking away child-care spaces that were created by the previous government. This is a fallacy. The truth is that this government cannot take away what was never given in the first place. We firmly believe that the best people to make decisions concerning their children's needs are the parents. They work hard to give their children the best possible life. They should not be criticized

or patronized for the decisions they make in the best interest of the family. Former Minister of Social Development, Ken Dryden, who negotiated these so-called agreements, was on an Ottawa radio station before the election was called, on November 18, 2005. He dismissed the idea of helping stay-at-home parents by comparing them to parents who try to treat their children at home rather than take them to a doctor or a hospital. That is shocking and should not have been overlooked by the then government.

Parents should not be patronized or criticized for decisions they make in the best interests of their children because parents ultimately are the ones — not governments, not bureaucracies and not child advocacy or special interest groups — who should have the decision here. In total, honourable senators, our government will invest \$3.7 billion over two years to help parents with the cost of raising their children. With respect to the child-care issue and the Speech from the Throne, it comes down to what that issue is — \$1200 per child per year in Budget 2006. That is what we will be asked to vote on.

One of our priorities, but no less important, is the commitment of this government to work with the provinces to establish patient wait time guarantees. Honourable senators will recall that this policy initiative is based on a recommendation made in 2002 by the Standing Senate Committee on Social Affairs, Science and Technology chaired by Senator Michael Kirby, and of which I was honoured to be deputy chair. Senator Keon raised this issue in debate and focussed almost exclusively on it, which he is well qualified to do. The Senate Social Affairs Committee concluded that patients must be able to count on and receive treatment in a medically accepted time for publicly insured service. If this treatment is not available in the patient's jurisdiction, they must be given the option of receiving treatment in another hospital or clinic, even if it is out of province.

I will quote from section 6.5 of the Social Committee's final report entitled *The Health of Canadians — The Federal Role*, from which the patient wait times guarantee is drawn:

...governments must be made to bear the responsibility for their decisions. ...the blame for the waiting list problem should be placed where it belongs — on the shoulders of governments for not funding the system adequately....governments must pay for the remedy, namely, patient treatment in another jurisdiction, while waiting list management systems are being developed and put in place.

Patient wait times

is an issue to be resolved between governments and the institutions and the physicians that they fund. Patients should not be affected. Their sole concern should be to get needed treatments in a timely fashion and have them paid for publicly. Therefore, ... governments, as the patient's insurer should have the responsibility of meeting the health care guarantee.

This decision by then Leader of the Opposition, now Prime Minister Harper, to make this announcement in the riding of Steven Fletcher, our then health care critic, in Winnipeg, was a

particularly rewarding day for me on the campaign. I was able to call Senator Kirby to tell him that we were about to announce this. Mr. Harper suggested it would be only fitting that Senator Kirby, Chair of the Standing Senate Committee on Social Affairs, Science and Technology, be informed of the coming announcement.

The social committee's conclusions were validated by a decision of the Supreme Court of Canada in the well-known Chaoulli case. Canadians believe their health care system is one of our most valued public services. In his speech, Senator Hays correctly listed our national health-care system as one of the proud achievements of a former Liberal government. I hasten to add that the forerunner to that policy, the Royal Commission on Health Services, known as the Hall Commission, was established under former Prime Minister John Diefenbaker. It had been completed under Mr. Diefenbaker but he was defeated before he had a chance to implement the policy. It was implemented shortly afterwards by his successor.

Our government, as promised, will move forward on a patient wait times guarantee, such as was proposed by the Standing Senate Committee on Social Affairs, Science and Technology. We will work to ensure that Canadians receive essential medical treatment within clinically acceptable waiting times, and we will do so in accordance with the provisions of the Canada Health Act.

Honourable senators, the above was a brief synopsis of our government's first five priorities. They are ambitious, far-reaching and bold. I am excited and honoured to participate in, and deliver on, this agenda and offer Canadians a sound, efficient and accountable government that they expect and most surely deserve. I will conclude my remarks today with a few words on the future of the Senate as an institution and its constitutional role within a parliamentary government. Dating back to Confederation, the Senate and its role within our federal system has been widely debated and scrutinized. I was once given a book by Senator Macquarrie that was written in 1916 and it talked about serious Senate reform. I still have the book. It is as relevant today as it was then. The Senate was a deal breaker at the time of Confederation. Six of the 14 days spent by the Fathers of Confederation at the Quebec Conference dealt with the Senate and its role in our federal system. According to historian Christopher Moore, author of *How the Fathers Made A Deal*, the argument over the Senate was the longest at the Charlottetown Conference and the one which brought it closest to breakdown.

As honourable senators know, the Fathers of Confederation eventually reached a compromise that was satisfactory to all. Canada would have an appointed Senate, which would act as check on the elected lower House to protect minorities, while representing regional and sectional interests.

At the present time our chamber is one of great diversity. We have farmers, physicians, lawyers and even a heart surgeon. We have constitutional experts, decorated generals, not to mention bankers and great advocates for racial minorities, consumer rights and the arts. About 33 per cent of senators are women and there are seven vacancies. Canadians consistently place Senate reform

near the top of their agenda when it comes to reforming our democratic institutions. A March 2003 Environics poll showed that 73 per cent of Canadians identify Senate reform as very or somewhat important in future talks about the Constitution.

In his 2004 Fraser Institute study entitled *Challenges in Senate Reform: Conflicts of Interest, Unintended Consequences, New Possibilities*, Gordon Gibson said,

...we have inherited the constitutional concept of the Senate that the Fathers of Confederation wanted: a Canadian analogue to the House of Lords, a trading point in the original confederal deal, a place of some pomp and circumstance, and a place of potential authority. That it has worked out as a convenient locus of patronage and a place of little real power, comes back to the flaw of the appointment process.

• (2020)

Honourable senators, I think it is fair to say that the appointments process for senators accounts for much of Canadians' dissatisfaction with the Senate as it exists today. They question is how, in the year 2006, a legislative body can be put in place without the participation of the public they claim to serve. In the early days of the 21st century, this government will ensure that those who want to sit in the Parliament of a democratic state have a mandate from Canadians.

Honourable senators, previous Liberal governments talked endlessly about ending our country's democratic deficit but did nothing. Previous Liberal Prime Ministers talked about Senate reform but did not act. We must start now. We need to get on with modernizing the upper chamber.

As set out in the Speech from the Throne, this government will take the necessary steps to ensure that the Senate better reflects the democratic values of Canadians and the needs of Canada's regions. This government is committed to a two-stage process of Senate reform.

First, we will begin reform of the Senate by creating a national process for electing senators in every province and territory in time for the next federal general election; and, second, we will engage the provinces and Canadians to build consensus on further reforms to make the Senate an effective, independent and democratically elected body that equitably represents all regions.

Honourable senators, I will quote from the Prime Minister's remarks that were printed in the *National Post* on March 2 of this year. He said that our government:

...has not set time lines, but it is something I would like to get on with sooner rather than later. I would expect that no later than the next federal election we will have a senatorial election set in place. The Prime Minister can choose to create an electoral process and he can choose to do so at the federal level, particularly if you were to hold Senate elections at the same time of the federal election. And while I would like to see the cooperation of the provinces, if our government chooses to have Senate elections, then that is something we believe we can do federally from Ottawa.

Honourable senators, our government continues to consult the provinces on their views. However, the Prime Minister is prepared to move forward and show strong federal leadership — the qualities Canadians deserve in their Prime Minister — should there be no consensus.

During the course of this Thirty-ninth Parliament, our government will begin to work on Senate reform and on the election of senators. Change is coming and change is necessary as we reassess our democracy in the 21st century. As senators, we should not fear these reforms. Our chamber will maintain the constitutional integrity it has always had as Canada's chamber of sober second thought. We will continue to be the chamber of great diversity to which I referred earlier. We will continue to engage in debate on the tough public policy issues that affect Canadians, and we will continue to work diligently in committees.

Honourable senators, as I mentioned a few times in this speech, I had the privilege of travelling with the Prime Minister during the election campaign. The issue of Senate reform was raised everywhere in the country. This is not a Western issue and it is not an Eastern issue. It is an issue all over the country. As I have told my colleagues on this side, and some on that side when I have chatted to them about it, one of the strongest applause lines the Prime Minister — then the leader of the party — received was when he talked about the need for Senate reform. Therefore, it would behoove all of us to acknowledge that out there in the real world, in the country, they want Senate reform.

Honourable senators, in the coming weeks and months, I expect all senators will engage in a spirited debate on the matters I have mentioned here today and many others that will arise in the course of this Thirty-ninth Parliament. I fully expect that the tone of the debate will be characteristic of the largely collegial tone of debate in this chamber dating back to Confederation. There have been a few unfortunate instances where that was not the case, but by and large they have been collegial.

I want to assure my the Honourable Leader of the Opposition, and those sitting on the other side of the chamber and those on this side as well, that I will work with everyone and attempt to engage all senators, regardless of party allegiance, to make this Thirty-ninth Parliament work effectively and efficiently on behalf of all Canadians.

I have received indications from many colleagues opposite that it is their intention to be responsible as we approach all matters before us; one which respects the constitutional role of the Senate and one which takes into account the expressed views of the elected members of the other place and, indeed, the wishes of the voting public.

That being said, I fully expect and even welcome in the course of this Parliament any constructive suggestions senators may wish to make in the spirit of sober second thought that has defined the Senate since Confederation. Both chambers of Parliament function effectively only with a vigorous and constructive opposition. It may not be possible to agree on everything, and

past experience makes me certain that we will not, but I think it is possible to uphold the dignity of this chamber and work together to serve Canadians. Let us all remember at all times that governments exist to serve the public. Our government will strive to do nothing less.

As Leader of the Government in the Senate, I will never lose sight of the ultimate higher good which we strive to achieve, and I am confident that all here assembled share in that desire.

With that, I wish to conclude by thanking and congratulating Her Excellency on the Speech from the Throne.

[Translation]

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I am pleased to speak this evening during the debate on the Speech from the Throne and to deliver, as you know, my first address in this House.

I would like to start by saying that I was very honoured last February when Prime Minister Harper asked me to join his cabinet, as Minister of Public Works and Government Services, as well as the minister responsible for the greater Montreal area. In order to be accountable to Parliament, the Prime Minister appointed me to the Senate.

Honourable senators, as you know, I will run for a seat in the House of Commons during the next election. My current duties will therefore end when that election is called. Naturally, I will be very sad to leave the Senate.

As you know, the Speech from the Throne confirms the priorities set out by the Prime Minister during the election campaign. He has reiterated these priorities several times since forming his government last February and they should not be surprising to anyone. We have made promises to Canadians and we intend to keep those promises. Our priorities are clear and deserve to be repeated once again here today.

[English]

We are committed to cleaning up government. The Speech from the Throne confirmed that the first piece of legislation introduced by our government would be the Federal Accountability Act, and we have already acted on that pledge. Bill C-2 was tabled on April 11, and I am looking forward to a lively and informed debate when it reaches this chamber. I will obviously be a strong proponent of the legislation.

Accountability is an issue of particular importance to me as Minister of Public Works and Government Services, given the central role my department plays in federal contracting, of which I will have more to say in a few minutes.

The Speech from the Throne also underscored our commitment to reduce the GST as a first step in cutting taxes for hard-working Canadians. The Minister of Finance's budget confirmed our intent to reduce the GST. The GST cut and the other tax measures announced in the budget will put more money in the pockets of every Canadian consumer, regardless of age or income,

and will stimulate spending across the economy. I can assure honourable senators that this is only a first step. Reducing Canadians' tax burden will continue to be a plank of this government.

I know honourable senators will want to support the government's effort to protect Canadian families and communities by strengthening the justice system, the third priority identified in the Speech from the Throne. As a husband and father of five, this is an issue of special importance to me. All of us want our children and grandchildren to grow up in safe communities just as we did, and just as I did in Quebec City. We want Canada to be recognized as a country that treats people fairly under the law, and not a country that is soft on crime or that puts criminals ahead of victims.

As a parent, I also strongly endorse the Prime Minister's decision to allow Canadian parents to make their own choices when it comes to child care. I will admit to a slight conflict of interest, with two of my children being under the age of six. The Speech from the Throne affirmed not only our government's commitment to provide parents with welcome financial support for pre-school children, but also its intention to create 125,000 new child care spaces over the next five years by providing tax credits to employers and similar support to non-profit associations.

• (2030)

Our fifth but by no means least important priority is to deliver the health care Canadians need when they need it. Universal health care is something we take great pride in as a nation, but for too long there has been more talk than action to reduce waiting times and provide other fixes for the health-care system. The government will take action by addressing the fiscal imbalance and establishing a patient wait times guarantee with the provinces.

Honourable senators, while the Speech from the Throne confirmed that these priorities would be our main focus of attention, we will also deliver on other commitments. We will create jobs and grow Canada's economy. We will invest in research and development and support Canada's traditional industries. We will secure Canada's borders and make large-scale investments in Canada's military. Our government will increase support for students and families. We will improve Canada's national infrastructure, build a cleaner, healthier environment, and provide real opportunities for Aboriginal people to improve their lives and their communities.

[Translation]

The reading of the Speech from the Throne was an important step for our government, but now we must make good on the promises we made to Canadians. My department will have an important role to play in this regard.

As Receiver General of Canada, my department will play an important role in support of the Universal Child Care Benefit by making monthly payments to eligible families.

My department will be on the front line when it comes to accountability and increased transparency. That is why I have a keen interest in the Federal Accountability Act. This act will have a significant and positive impact on my department.

Honourable senators, the Prime Minister promised Canadians a detailed and credible plan to clean up government. This act has provisions to reform federal political party financing by introducing a number of new restrictions and by extending the period for prosecuting offences under the Canada Elections Act. Furthermore — and fortunately — secret donations to political candidates will be banned.

The act will also strengthen restrictive measures on lobbying and will make the Registrar of Lobbyists an independent officer of Parliament with a mandate and the necessary resources for investigating alleged violations.

The Office of the Auditor General will receive additional resources and a broader mandate under the act. New penalties will be created under the Criminal Code for the fraudulent use of taxpayers' money.

The act will also strengthen the role of the Ethics Commissioner, who will have the power to impose a penalty on those who violate the act and to conduct investigations into complaints made by the public and not just by politicians.

Officers of Parliament will no longer be simply appointed by the Prime Minister. They will instead be appointed in consultation with all the political parties.

Whistleblowers will be provided with real protection, and auditing and accountability activities in the departments will be enhanced.

An independent office, which will be an integral part of the Library of Parliament, will be established to inform Parliament directly on the national financial situation and national economic trends.

Some Hon. Senators: Bravo!

[English]

Senator Fortier: Two elements of the Federal Accountability Act are of particular note to my department. The first relates to cleaning up federal contracting. As the main procurement arm for federal departments and agencies, Public Works and Government Services Canada, PWGSC, negotiates thousands of contract arrangements each year and is central to the business of government. Regrettably, the process has been the subject of well-publicized problems. My objective is to bring this situation to an end in the relatively near future. The Federal Accountability Act permits us to appoint a procurement auditor to ensure that all procurement is fair, open and transparent. This office will have a mandate to review procurement practices across government, make recommendations for improvements and address complaints from contractors, including by managing an affordable and quick alternative-dispute-resolution process. The auditor will submit an annual report to the minister on its activities and outcomes, and this report will be tabled in Parliament.

We will also promote fairness, openness and transparency in the bidding process by implementing a code of conduct for procurement that will apply to both suppliers and the public service.

Honourable senators, a few weeks ago, I announced the establishment of six new offices of small- and medium-sized enterprises, SMEs. They will help suppliers from the SME world compete for government business by reducing barriers to competition and by promoting a fair, open and transparent procurement process.

The act also provides for significant reforms in the management of polling and advertising. Among the changes, the government will be obligated to automatically publish public opinion research within six months of the completion of the project. Verbal-only reports will be prohibited. An independent advisor will be appointed for a six-month period to review, assess and report on government public-opinion-research procurement practices discussed in chapter 5 of the Auditor General's November 2003 report. Reporting directly to me, as Minister of Public Works, this individual will recommend whether further action or inquiry is required and provide advice with respect to future use of such research by governments.

[Translation]

Let me tell you, honourable senators, these changes do not mean that the public servants who oversee government contracts as well as advertising and public opinion research are not doing a good job. I have full confidence in the professionalism and the abilities of my department's employees. As the Gomery commission clearly indicated, the problems of the past that tarnished the department's reputation were political in origin.

The business transformation initiative, underway at the Department of Public Works and Government Services, shows that the department's employees and managers have a sole objective: to serve the interests of the public in the best possible manner by making good business decisions on behalf of Canadians.

For example, representatives of my department are working on developing an accommodation management strategy that is the most efficient, the most effective and the most economical for the Government of Canada. I wholeheartedly support this work and will continue to do so as long as I am minister.

I also supported the procurement reform underway in my department. Every year, as many of you know, the Government of Canada purchases over \$20 billion in goods and services, much of it through Public Works and Government Services Canada. By optimizing the purchasing power of the government as a whole, we will achieve a better price-quality ratio for Canadians.

Honourable senators, all this will be done while ensuring that small and medium-sized enterprises have access to government markets. These enterprises are the cornerstone of our economy and the main source of jobs.

[Senator Fortier]

In closing, I would ask you to support the Throne Speech. Canadians have given the Harper government a mandate to implement these priorities and we must all do our best to deliver on that mandate.

• (2040)

Hon. Francis Fox: Honourable senators, to start with, I would like to congratulate Senator Fortier on his maiden speech. It is one of considerable substance. I would like to ask him a question on his responsibilities.

Senator Fortier will no doubt recall that, to ensure greater fairness in the distribution of government jobs and buildings in the National Capital Region, especially on the Hull-Gatineau side, the Liberal government, in 1980, and I think subsequent governments, established a rule to aim for a 75/25 ratio in the distribution of government jobs and buildings.

Can the minister tell us if he intends to continue this policy and, if possible, improve the 75/25 ratio?

Senator Fortier: I thank the honourable senator for his question. It is entirely relevant, since, as the hon. senator mentions, there is a Crown portfolio distribution policy of 75/25 in the National Capital Region.

When I took up my duties, senators will note I inherited a 77/23 ratio. So I intend to do my best to bring it up to the objective of 75/25, which I support. However, it must be understood that several hundred thousand square feet have to move from one side of the river to the other, in order to move these few percentage points, unless new buildings are constructed on the Gatineau side. These solutions are being considered at the moment in my department, and I hope that by the end of my time in Public Works I will have succeeded in shrinking the current gap.

Hon. Marcel Prud'homme: Honourable senators, I am here as a matter of duty and of pleasure, to hear the new minister's maiden speech. You will recall, on November 25, 2005, during his farewell speech, that Senator Austin said he would miss the question period on this side.

So I rose in my own name, since I could not do so on behalf of the ten unaligned senators at the time and said: "Not too fast. You know arrogance is dangerous, and you could find yourself on this side." I spoke these words on November 25. I had already announced how I would vote, and everyone knows that for the first time in my life I voted for the Conservative Party in the latest election.

I will even be pleased to support the minister, who has told us he will be a candidate in the next election. If he asks me to, I will support him in the next election.

That said, I do not have the pleasure of knowing the honourable Senator Fortier, nor, I think, does he have the pleasure of knowing me. This is the first time I have spoken directly to him in front of everyone, which I like to do.

There is a disturbing tendency within the new government to delegate responsibility to others for appointments to boards of directors and the Supreme Court. I do not like this tendency. I think that we have to be able to blame somebody directly. And in a democracy, the ones who should take the blame are Cabinet, the Prime Minister or the minister who makes or fails to make a good or bad appointment.

I must say, honourable senators, that after 42 years in Parliament, I am very uncomfortable with this new tendency to delegate. In English, the following expression would be used.

[English]

In English, it would be said, "Pass the buck to a committee to appoint people." I want someone who is directly responsible. The only people who can answer to the Canadian public are those who are elected, such as the minister, the Prime Minister or other members of the cabinet.

I want to be on the record saying that I am very ill at ease with this new tendency that we have to pass the buck to a committee of citizens, or to some other committee. I was not consulted by these people. I did not vote for citizens to choose our judges.

If the Minister of Justice makes a bad nomination, then he should pay. If the Prime Minister and his cabinet make a bad nomination, then we should be in a position to do something about it.

Would the minister be kind enough to comment?

[Translation]

The Hon. the Speaker: Honourable senators, I regret to inform you that your 15 minutes have elapsed. Do you seek leave of the Senate to continue for five additional minutes?

Senator Fortier: I request just a few additional minutes. Thank you, honourable senator, for your question and comments. In my speech, I referred to a procurement auditor. I would say that this appointment is vital, especially for those of you who know how large the Department of Public Works is. Its responsibilities are very important as it manages billions of dollars that come essentially from the taxes paid by Canadians.

It was essential to me, to the Prime Minister and to cabinet, that there be someone within Public Works who is more impartial, who can allow those working for this department every day to have a better perspective on the rules currently in force.

I will be candid, and this will not come as a surprise to anyone, and say that some of these rules are much too complicated. The situation has become difficult for some suppliers, and especially for the smaller ones who cannot afford to employ someone just to handle Public Works. These individuals are unfortunately dealing with an administrative bureaucracy that they find very complicated.

My hope is that a procurement auditor will guide us as we establish simpler, more transparent and clearer rules which, over

the years, will make procurement much easier for government as a client and for suppliers.

I understand your question. However, I believe that we must appoint a third party as the procurement auditor, since this individual must be, to some extent, an ombudsman within Public Works in order to ensure that the objectives I have just proposed are met.

Hon. Dennis Dawson: Honourable senators, first I would like to congratulate the honourable senator on his appointment to cabinet and to the Senate. I am always proud to welcome to this august chamber someone from the Quebec City area, and a minister for the Montreal area.

Since the Leader of the Government in the Senate has sung the praises of an elected senate, I would like to ask the minister the following question: How is it that you are announcing this evening that you will stand for election not to the Senate but to the other chamber? I have no doubt that the idea is a good one, even though it does present certain problems.

Unlike Senator Prud'homme, I cannot guarantee you my support. However, if the idea is as good as all that, I can assure you that if you stand for election as a senator, you will be seen to be following your government's logic.

Senator Fortier: I thank the honourable senator, a fellow Quebecer whom I greatly admired when I was younger and he was the member for the riding of Louis-Hébert. I watched him when I was in elementary school, and I felt he did a very good job in the House of Commons. But I would remind him that he himself stood for election to the other chamber.

In answer to his question, which is very apt, I will say that it is a choice I made freely. Following discussions with the Prime Minister of Canada, I told him that I wanted to stand for election to the House of Commons. It is not because I do not respect the upper chamber; it is a personal choice. I am convinced that when the amendments or new measures apply to this chamber, a number of distinguished people will want to stand for election to the upper house.

[English]

Hon. Jeremiah S. Grafstein: Honourable senators, I too want to thank the honourable senator for his comprehensive address.

I apologize; I lost the first few moments. I was detained at another meeting.

• (2050)

I was delighted to hear that this government could think, walk and chew gum at the same time. There are not just the five priorities; there is a larger agenda. I was delighted to hear that, and the topics the minister addressed. However, I was curious about one thing, which perhaps he might amplify briefly; that is, the government's objective of securing the border or a secure border. Could the minister tell us what the government means by securing the border or having a secure border?

Senator Fortier: Minister Day has had several meetings, as the honourable senator knows, with his U.S. counterparts in discussing North American security issues. We have had, as a government — and it was also in our platform — issues with respect to having our officers at the border stations armed in order to offer them better protection.

My reference to securing borders was with respect to the fact that Mr. Day has had these discussions with his counterpart in the U.S. and the fact we are trying to equip our border officers properly so that they can do their jobs and feel that they are secure while doing them.

The Hon. the Speaker: I am afraid the Honourable Senator Fortier's extra time has been exhausted as well.

Honourable senators, it would be for me at this time, unless I see other honourable senators rising, to put the question.

Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Pursuant to the order adopted April 26 that the proceedings on the Order of the Day for resuming the debate on the motion for the Address in reply to Her Excellency the Governor General's Speech from the Throne, addressed to both Houses of Parliament, be concluded on the eighth sitting day on which the order is debated, and no other senator wishing to rise, it is my duty to inform honourable senators that debate is now concluded.

The question now is on the motion in amendment of the Honourable Senator Hays, seconded by Senator Fraser, that the motion be amended by deleting the period at the end and adding the following:

and, while this House acknowledges the broader agenda mentioned en passant in the Speech, it particularly looks forward to early and meaningful action on such promises as those respecting Aboriginal Canadians, new immigrants, greater security for seniors, improvements in the environment, and increased supports for farm families; and, given the strong economic and fiscal situation which the Government inherited, this House sees no reason for tax increases, or a decrease in anticipated early learning and child care spaces in Canada.

Honourable senators, is it your pleasure to adopt the motion in amendment?

Motion in amendment agreed to.

The Hon. the Speaker: The question is now on the motion as amended by the Honourable Senator Champagne, seconded by the Honourable Senator Segal.

Honourable senators, shall I dispense?

Hon. Senators: Dispense.

The Hon. the Speaker: Are honourable senators ready for the question?

Is it your pleasure, honourable senators, to adopt the motion as amended?

Motion, as amended, agreed to and Address in reply to the Speech from the Throne adopted.

On motion of the Honourable Senator Comeau, ordered that the Address be engrossed and presented to Her Excellency the Governor General by the Honourable the Speaker.

INCOME TAX ACT

BILL TO AMEND—DECLARATION OF INTEREST

The Hon. the Speaker: Honourable senators, before we proceed to the next item, I wish to advise that the Honourable Senator Di Nino has made a declaration of private interest regarding Bill S-212, and in accordance with rule 32.1, the declaration shall be recorded in the *Journals of the Senate*.

NATIONAL PHILANTHROPY DAY BILL

SECOND READING—DEBATE ADJOURNED

Hon. Jeremiah S. Grafstein moved second reading of Bill S-204, respecting a National Philanthropy Day.—(*Honourable Senator Grafstein*).

He said: Honourable senators will recall that this bill was introduced as Bill S-46 on November 3, 2005, and died on the Order Paper. I am now moving second reading of Bill S-204, an identical bill, respecting a National Philanthropy Day.

Honourable senators, I will try to be brief; you have heard this argument before. I believe the sentiments are shared by members on both sides.

National Philanthropy Day occurs annually on November 15 as a special day for those people active in the philanthropic community. National Philanthropy Day events are already held in every province and region in Canada involving thousands of people. Initiated at the grassroots level, it continues to grow each year as led by individual charities and organizations such as the Association of Fundraising Professionals.

Canada would lead the world if Parliament formally recognized National Philanthropy Day. Parliament can have a tremendous influence on public behaviour. The creation of a day recognized by Parliament would send a powerful message to all Canadians that charitable giving and volunteering are critical to our society and a crucial element in all aspects of Canadian life. Such a day would provide a forum for all charities and volunteers across the country to gather together in our villages, towns and cities to share their stories and celebrate their successes, large and small.

It is established that celebrating these success stories and identifying the ongoing need for support is one of the most effective ways to inspire others to give of themselves and their

resources. For instance, a powerful story is that of Terry Fox, celebrated in a monument near Parliament Hill, to demonstrate the effect that one person's actions can have on the public's desire to support great and good causes.

Parliament's recognition of this day is important for a number of reasons, but I will briefly describe only four.

• (2100)

First, it encourages giving. Support for the charitable sector must come from a variety of sources. Direct government funding remains the primary and essential source for most organizations. However, in an era of shrinking budgets and expanding needs, philanthropy is becoming an ever increasingly important part of the solution.

Second, it builds communities and civic society. Giving encourages greater citizen participation and greater respect for civic society. When people give, they invest a part of themselves in their community and create a stake in the future of our society. Giving can bring people together who might normally have nothing to do with one other only by focusing on a common goal.

Third, recognition of this day would further strengthen the growing partnership between the federal government and the volunteer sector. The federal government began a partnership in the year 2000 and provided \$94 million to fund the jointly administered Voluntary Sector Initiative. The VSI resulted in a number of outcomes that were jointly recommended by government and the sector itself, including the largest regulatory reform of the charitable sector in more than a generation.

Finally, recognition of National Philanthropy Day is a grassroots non-partisan issue, something that the Canadian public has strongly and consistently supported by voice and by deeds. Studies report that 90 per cent of all Canadians believe that non-profits are becoming of increasing importance to all Canadians, in all segments of society. In addition, 59 per cent of Canadians believe that non-profits serve on the front lines of hundreds of issues facing the country, from social services to health care, the environment, and the arts and beyond.

Canada, honourable senators, is a land of choices. Canadians can commit their time or spend their money in countless ways, but for volunteers and donors, philanthropy is not just another choice. It is a statement that goes to the meaning of their very life. Each senator in this chamber I know devotes time as a volunteer to numerous charities. We know what we are talking about when we support this particular bill.

Already, more and more Canadians are coming to rely on programs and services provided by non-profit organizations. The volunteer sector has made an indelible impact on all of Canadian society. There are 81,000 registered non-profits in Canada receiving approximately \$10 million in contributions annually, according to Statistics Canada, but the impact of the volunteer sector goes well beyond philanthropic programs and services.

According to the recent *Cornerstones of Community: Highlights from the National Survey of Nonprofit and Voluntary Organizations* study, the sector posted \$112 billion in revenues

in 2003 and employed more than 2 million people. In addition, these organizations draw on 2 billion volunteer hours each and every year, the equivalent of 1 million full-time jobs. Each and every Canadian has been touched by the work of our volunteer sector in some way. Each senator, as I said, is deeply involved in the volunteer sector in their regions.

The non-profit sector has had an impact on the financial health of the economy. The economic contribution of the non-profit sector is larger than many major industries in Canada and amounted to 6.8 per cent of the gross domestic product in 1999, according to Statistics Canada. The non-profit sector's GDP is 11 times more than that of the motor industry and more than four times that of the agriculture sector.

National Philanthropy Day has the support of many volunteer organizations, including Imagine Canada, Philanthropic Voluntary Sector Forum, Canadian Association of Gift Planners and the Canadian Bar Association, which represents thousands of non-profit organizations in the country.

Again, honourable senators, I urge you to formally recognize the special date by adopting this bill. Should we not take one day every year to honour their efforts and the efforts of all Canadians and organizations across Canada and support them?

Honourable senators, at the core of each faith is the eternal question: Is it more blessed to give than to receive? National Philanthropic Day is Parliament's answer to that question in the strong affirmative. I urge honourable senators to pass this bill speedily, this magnificent parliamentary gesture to Canadians in the voluntary sector. Perhaps, with agreement on both sides, we might refer it to a Committee of the Whole as this bill is non-partisan in pith and substance, and we could accelerate its speedy passage through Parliament.

On motion of Senator Champagne, debate adjourned.

ABORIGINAL PEOPLES

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON INVOLVEMENT OF ABORIGINAL COMMUNITIES AND BUSINESSES IN ECONOMIC DEVELOPMENT ACTIVITIES

Hon. Gerry St. Germain, pursuant to notice of May 2, 2006, moved:

That the Standing Senate Committee on Aboriginal Peoples, in accordance with rule 86(1)q of the Senate, be authorized to examine and report on the involvement of Aboriginal communities and businesses in economic development activities in Canada. In particular, the Committee shall be authorized to investigate elements that enable Aboriginal communities and businesses to succeed and obstacles to their achievement in all areas of the economy, including but not limited to: large-scale industrial developments such as pipelines; non-renewable resource developments in oil, gas and mining; renewable resource development; tourism; business services; and other related matters;

That the papers and evidence received and taken during the First Session of the Thirty-eight Parliament be referred to the Committee;

That the Committee report to the Senate from time to time, but no later than June 30, 2007 and that the Committee retain until September 1, 2007, all powers necessary to publicize its findings.

The Hon. the Speaker *pro tempore*: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, before we vote on this motion, I wonder if the honourable senator would give the Senate an explanation of what this order of reference involves.

Senator St. Germain: Honourable senators, this study was commenced under the previous administration, under the chairmanship of Senator Sibbeston in the committee of the day, which I was part of as deputy chair. The study encompasses why certain Aboriginal communities have been successful in economic development whereas others have not. We are trying to find out whether there is a recipe for success. First Nations like Westbank or Osoyoos, to name a couple in my province, and the Musqueam and the Squamish bands are tremendously successful economically. However, right next door we have Aboriginal nations that are struggling immensely just trying to subsist from a daily point of view. Those were the reasons for the study.

• (2110)

A lot of the study, in fact over half, has been done. We would like to complete the study because we are finding out some salient points. One is that governance, the ability to control themselves and their own destiny and to separate themselves from the paternalistic umbrella of DIAND, has emerged as being truly critical. These are some of the things we are finding out. We wish to continue in that spirit, and we ask the Senate for the support to continue with these studies.

Hon. Serge Joyal: Will the honourable senator entertain a question?

Senator St. Germain: Yes.

Senator Joyal: I have absolutely no objection to the terms of reference, Senator St. Germain, but in answer to the question posed by Senator Fraser, you stated that, in your opinion, you have already done half the work. Upon reading the motion, I note that you request terms of reference no later than June 30, which is more than a year from now. Will it take that much time to complete the other half of what you want to do?

Senator Prud'homme: Absolutely!

Senator St. Germain: I thank you for your question, Senator Joyal. Hopefully, it will not, but we want to be safe. For the information of the Senate, we are meeting with the Minister of Indian Affairs and Northern Development this week. One Liberal

senator has already met with the minister in a private meeting to discuss terms of reference that he may want to proceed with because we have issues such as land claims that are strongly impacting our nation. Caledonia is one example.

We wanted enough money in the event that we have to pursue another agenda. We may return to the Senate on another issue that is imminent and may require attention. Land claims is one of them. As you know, land claims settlements have bogged down. It takes 20 to 30 years for these land claims to be settled, incurring horrific legal costs, considerable lost time and lost generations of our Aboriginal peoples.

I also look forward to the prospect of a review of the department. The department has a \$6.1 billion budget, and in the past, it has not mattered whether Conservatives or Liberals were in government. We cannot even provide safe, clean drinking water to our Aboriginal people. This is not rocket science. These are some problems that I strongly feel require urgent attention.

What we are doing now is being substantiated by other studies on Aboriginal issues that have been done south of the border with regard to governance. We want to be on the safe side in the event that we may have to postpone a portion of this study to deal with a more substantial Aboriginal issue. That is why we have asked for this time.

Hon. Jeremiah S. Grafstein: My interest was piqued when I looked at Senator St. Germain's terms of reference. I have been attempting to address the issue of clean drinking water on Aboriginal lands for five years with little support from this chamber. As part of Senator St. Germain's terms of reference, does he intend to examine this issue and hold the government accountable for its failure to provide clean drinking water to the Aboriginal communities?

Senator St. Germain: I thank Senator Grafstein, as well, for the question. It will be part of it. I wish to look at why the department cannot serve its constituency properly. Water stands out in the forefront. I have been here as you have addressed this issue in the past, and you should be complimented on your work. Water will definitely be the focus of why we go in. Possibly, it may be one of the reasons why we go in. I do not want to speak for the whole committee. I must first consult my committee, but I am speaking as Senator St. Germain, who has had an interest in Aboriginal issues for a considerable period of time. I have spoken to Senator Gill and Senator Segal, who have voiced considerable interest.

If we do not approach these problems from a different angle, we will always get what we always got. I feel it is time that we follow your lead, for example, on water.

[Translation]

Hon. Marcel Prud'homme: Honourable senators, I think that Senator Grafstein talked only about drinking water. Nonetheless, I want to commend him on the fact that his bill is not just for Aboriginals.

If I understood Bill S-208 correctly, the idea is for the environment to be for everyone because it is not just the First Nations that are having drinking water problems. I think I understood correctly that your Bill S-208 has a broad scope and does not target Aboriginals in particular.

I agree with the honourable senator that there is a greater problem with respect to the First Nations and I wish him good luck. I intend to be there when he discusses it.

[English]

Senator St. Germain: The honourable senator has pointed it out clearly, but I think Senator Grafstein has not. He happened to mention the Aboriginal issues, but he has clearly stated that his concern is about potable water ...

[Translation]

Drinking water is for all Canadians, not just for Aboriginals.

[English]

Senator Grafstein: Honourable senators, it is a question of quality treatment of drinking water for every person in every region, no matter where he, she or they come from.

Senator Prud'homme: That is what I said.

The Hon. the Speaker pro tempore: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

FOREIGN AFFAIRS

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON MATTERS RELATING TO AFRICA

Hon. Hugh Segal, pursuant to notice of May 4, 2006, moved:

That the Standing Senate Committee on Foreign Affairs be authorized to examine and report on the development and security challenges facing Africa; the response of the international community to enhance that continent's development and political stability; Canadian foreign policy as it relates to Africa; and other related matters;

That the papers and evidence received and taken during the First Session of the Thirty-eighth Parliament be referred to the committee;

That the Committee shall present its final report no later than October 31, 2006, and that the Committee shall retain all powers necessary to publicize the findings of the Committee as set forth in its final report until November 30, 2006.

The Hon. the Speaker pro tempore: Are honourable senators ready for the question?

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, may we have a brief explanation of what this is about?

Senator Segal: I thank Senator Fraser for that question. The reference listed under Item No. 56 dealing with Africa represents a continuation of a tremendous amount of work done by the Senate committee under the distinguished chairmanship of Senator Stollery and the co-chairmanship of Senator Di Nino.

This work involved extensive work with respect to meeting people from Africa and specialists on Africa, coupled with visits to Africa. The committee itself travelled to Ethiopia, Democratic Republic of the Congo, Nigeria and Mali, having met, amongst others, the Chair of the African Union Commission, the Prime Minister of Mali and Ethiopia, Economic Community of West African States, ECOWAS, and other leadership.

They also met and dealt with members of the United Nations and various organizations focused on Africa. That work was not completed because of the dissolution of the previous Parliament. It was the hope of the committee that it would be granted a reference by the Senate to continue that work, and to report as quickly as possible with specific recommendations relative to Africa in a constructive fashion that reflects our partnership with our fellow human beings, who, as Senator Dallaire has pointed out on so many occasions, are going through a period of suffering. We, as Canadians and members of this committee, request an order of reference to continue our work in support of the great work done by others before I arrived in this place in support of that broad overall effort.

Hon. Roméo Antonius Dallaire: Honourable senators, I wish to ask Senator Segal a question.

[Translation]

Senator Dallaire: Honourable senators, I was able to consult only part of the work done in the past and that had to do with regional security and stability in these problem areas. I am talking about the fact that there are so many nations that are imploding, often because of abuse or lack of availability of responsible military troops from democratic governments.

[English]

There is also the African Standby Force, to which some countries have provided support. We know that in Darfur they have responded even before the UN, although that force is still at least five to ten years away.

Senator Stratton: Question, please.

Senator Dallaire: Will the security dimension be more specifically looked at with regard to giving capacity to Africa to respond, in the first instance, to crises that are of a security nature that often end up in catastrophic humanitarian disasters?

Senator Segal: I thank Senator Dallaire for that question. I note that in his previous role before becoming a member of this chamber, he appeared before the committee and gave testimony that I have had the privilege of reading and benefiting from. I have no reason to believe that my colleagues on the committee would, nor would I, want to exclude the security dimension and any recommendations or reflections that we might offer to this chamber for its consideration upon the completion of our work.

Senator Stratton: Question!

The Hon. the Speaker *pro tempore*: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

COMMITTEE AUTHORIZED TO STUDY ISSUES
RELATED TO FOREIGN RELATIONS

Hon. Hugh Segal, pursuant to notice of May 4, 2006, moved:

That the Standing Senate Committee on Foreign Affairs, in accordance with rule 86(1)(h), be authorized to examine such issues as may arise from time to time relating to Foreign relations generally; and

That the committee report to the Senate no later than March 31, 2008.

The Hon. the Speaker *pro tempore*: It is moved by the Honourable Senator Segal, seconded by the Honourable Senator Di Nino, that the Standing Senate Committee on Foreign Affairs — shall I dispense?

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, this is as broadly phrased an order of reference as I remember seeing in my time in this place. As I said, half jesting, in reference to another order of reference, it could theoretically encompass interplanetary travel.

Could the chair of the committee explain to us what on earth he proposes to do with this order of reference?

Hon. Terry Stratton: Honourable senators, if I may, my suggestion is that this proposed study has to come before the Internal Economy Committee for a budget. If it is too extraordinary, as will happen with Senator Banks' proposal on studying the environment, we will have to monitor, check, balance and cut back, if necessary.

Senator Fraser: I have infinite respect for the work of the Internal Economy Committee. However, since this is an order of reference that the Senate is being asked to approve, the Senate is entitled to an explanation, and then the Internal Economy Committee will undoubtedly do its rigorous refining after that.

Senator Segal: Honourable senators, I want to thank Senator Fraser for that question.

The purpose of this particular order of reference and the request therefor is so that the committee is able, whenever possible, here in Ottawa, to accommodate foreign dignitaries and delegations which express the desire to meet officially with the committee. The committee is mainly focused on its legislative and special duties with relationship, for example, to Africa, and thus uses this order of reference very sensibly, I am told, and with great restraint. The goal is not to get a blanket motion but, rather, to react intelligently and diplomatically to unforeseen but important requests and issues.

As honourable senators will know, in the past, this order of reference enabled the committee — and this is the same order that was given in the past — to meet with a group of Iraqi women, a visit organized by DFAIT for a two-week program on human rights and gender equality in Ottawa, as well as the Ukrainian ambassador, to discuss the presidential election in December 2004. I make no assumptions in making this request to the Senate as to what the Internal Economy Committee would choose to do with our budgetary submission when it comes forward in the fullness of time.

Senator Fraser: I thank Senator Segal for that response and I note with great interest his reference to proceedings here in Ottawa in terms of this order of reference. I was glad to hear that.

Hon. Serge Joyal: Honourable senators, on reading rule 86(1)(h) of the *Rules of the Senate*, I wonder if we are not, with no ill intention, subverting the rules that define the terms of reference of the various standing committees of the Senate. Let me paraphrase such a motion with regard to any of the standing committees of the Senate; for instance, that the Standing Senate Committee on Legal and Constitutional Affairs, in accordance with rule 86(1), be authorized to examine such issues as may arise from time to time relating to legal and constitutional affairs in Canada. Any committee could request such broad terms of reference and do whatever it sees fit and proper.

Again, I continue with the example I just gave regarding the Standing Senate Committee on Legal and Constitutional Affairs. The members of the committee, two times in a row, received a reference from this house to study the non-derogation clause in relation to Aboriginal people. I see that my friend and colleague, Senator St. Germain, was interested in that. Now we are prevented from continuing that study unless we come to the Senate and request, through a motion, that term of reference so that we are empowered to study that specific question.

I wonder if we should not have introduced such a motion with the same labelling as the one we are currently discussing so that any committee could decide, *proprio motu*, to study whatever the committee saw fit. I am not opposed to foreign visitors being in Canada or the president of a country coming to meet with senators. I would be the last one to vote against such visits.

However, perhaps unintentionally we are not respecting the substance of the terms of reference of standing committees. We could change the terms of reference of any committee to reflect the broad wording of this motion and we would have a totally different set of terms of reference for the committees of the Senate.

To allow committees such a broad mandate was not the original intention. The only committee that has such a broad mandate is the Internal Economy Committee, and it has a statutory existence in the Parliament of Canada Act.

That is why I feel that there might be an uneasiness to accept the motion without understanding what can happen with all the other committees.

For instance, Senator Corbin has a motion that deals with Aboriginal languages. We have studied that, and Senator Di Nino was part of a subcommittee, as was I. If we put to that committee anything that pertains to this house, any committee could do whatever it saw fit. The reason this rule is in the *Rules of the Senate* is because the Senate wants to be aware of what committees are doing so that senators know what to expect from them. It is not to control the committees; it is to ensure that senators are participating.

Senator Stratton: Question, please.

Senator Joyal: Did the honourable senator consider that element when he introduced his motion?

Senator Segal: I wish to thank the honourable senator for that question and the edification about rule 86(1)(h). I would be misleading every member of this chamber if I left even the slightest impression that I had given that profound consideration to the broader implication of the specific reference.

The specific reference was one that has been used before for this committee in this house, and I am told — and it is my sense from having read the committee records — that the committee dealt with it by administering great discipline, responsibility and focus. I therefore submitted it for senators' consideration so that we could have the same authority going forward as had been the case in the past, with all the appropriate constraints suggested by Senator Fraser. It was in that context that it was submitted.

It may very well be that the Rules Committee should be asked to take a broader look at the application of rule 86(1)(h) and the risk of unwittingly creating broader mandates than the Senate would want to give without having some frame of reference. In that regard, I have no difficulty with that consideration.

I would ask honourable senators to allow us to get on with our work at the committee, because we are already beginning to receive requests from foreign dignitaries who would like to appear before us. I would like to ensure that we have the appropriate order of reference from this place to allow us to accommodate those visits as the committee may appropriately decide.

• (2130)

Hon. Joseph A. Day: On the motion, honourable senators, I note that rule 86(1)(h) reads "if there is a motion to that effect." Obviously one comes to the Senate to consider those points and to consider the powers the committee is seeking.

I had the privilege of serving on the Internal Economy Committee and the subcommittee on budgets, and I have heard chairs of committees ask why, although the Senate has given them a mandate, would Internal Economy try to restrict spending?

I think the way out of this is for Senator Segal to restrict his motion to what he has indicated he would restrict it to, and that is operating in Ottawa to receive delegations from time to time as it may request.

Senator Segal: Beyond perhaps one Commonwealth conference in Africa, it is not my expectation that there would be any request to the Internal Economy Committee for specific travel funds on the African reference already disposed of by this chamber.

With respect to the general reference and any specific requirements beyond considerations in Ottawa, as Senator Fraser was kind enough to confirm, we would return with a specific request to the Internal Economy Committee — I am delighted to put that on the record — for consideration, as my colleagues on the committee may think appropriate. We certainly would not assume that the Africa reference would give us any authority beyond what it actually provides or the general reference.

Hon. Marcel Prud'homme: Honourable senators, I waited nine years to be on the Committee of Foreign Affairs for all kinds of reasons that I prefer not to mention today. I ended up on the Banking Committee where I knew nothing so I did not want to stay except that I voted against bank mergers and I am glad that the government of the day still opposes that for the time being anyway.

When I went back to Foreign Affairs, I was very active on the question of Africa. Thanks to the generosity of some people, I am now a full member of Internal Economy.

Honourable senators will have all of my sympathy if others try to limit their own requests. For instance, with all due respect, the National Defence Committee has asked for a significant amount of money. If a committee has a reference, that committee should have the money for that reference; if honourable senators do not want a committee to have a mandate, they should not make such a request. The honourable senator is a very able chairman for whom I have the greatest esteem. I have told him that privately and I make that statement publicly. I have the highest of esteem for his brightness, intelligence, savoir faire and diplomacy. I think he will do a very good job as chair of the Foreign Affairs Committee. However, we cannot make him the chairman of a *je ne sais quoi* kind of committee with an I do not know what kind of mandate.

The committee of which the honourable senator is chair was given a mandate in the past government and the committee is only continuing with it. The honourable senator is doing a good job so far. I did not go to Africa for health reasons, as some did. I voluntarily withdrew from going to Africa so it would be less difficult for people to be chosen.

All I ask is that the honourable senator and his colleagues work with somewhat more passion. I would suggest that once in a while the committee should outside of their mandate to have a special committee as we used to do in the old days with the House of Commons and the Senate, under the very able chairmanship of Senator van Roggen, a good Liberal, whose office I occupy with great respect. Senator van Roggen was a fabulous chairman of Foreign Affairs. He was a Liberal from Vancouver.

I hope that the honourable senator will get what he wants and funds should not be limited to him and with an unlimited amount to others.

MOTION MODIFIED

Hon. Wilfred P. Moore: Honourable senators, I do not know whether or not the Notice Paper has a typo. Item No. 57 indicates that the committee should report to the Senate no later than March 31, 2008 — 2008 is two years out. Should the reference not read to the end of next fiscal year, 2007?

Hon. Hugh Segal: I do not think there was any particular intent around using the date of 2008 other than to have a covering reference for us to do our work. If colleagues feel more comfortable with 2007, I would be comfortable with that as well.

The Hon. the Speaker *pro tempore*: It is moved by Senator Segal that this motion be adopted —

Senator Moore: As amended?

The Hon. the Speaker *pro tempore*: Is the honourable senator moving an amendment?

Senator Segal: If it is amended 2007, I have no difficulty at all.

The Hon. the Speaker *pro tempore*: Is it agreed, honourable senators, that the date be amended to 2007?

Hon. Senators: Agreed.

Hon. John G. Bryden: As a member of that committee and the steering committee, I have no objection.

The Hon. the Speaker *pro tempore*: Is it agreed that we modify the reference according to rule?

Hon. Senators: Agreed.

The Hon. the Speaker *pro tempore*: Honourable senators, is it agreed that the motion, as amended, be adopted?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Wednesday, May 10, 2006, at 1:30 p.m.

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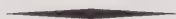
VOLUME 143

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NUMBER 12

OFFICIAL REPORT
(HANSARD)

Wednesday, May 10, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Wednesday, May 10, 2006

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

QUESTION OF PRIVILEGE

NOTICE

Hon. Pierrette Ringuette: Honourable senators, pursuant to rule 43(7) of the *Rules of the Senate*, I give notice that I will raise a question of privilege with respect to misleading statements made by the Leader of the Government in the Senate on May 3, 2006. I am prepared to move a motion calling upon the Senate to take action in respect of the matter that will be raised.

[Translation]

THE RIGHT HONOURABLE ANTONIO LAMER

Hon. Andrée Champagne: Honourable senators, we were very distressed to learn last week that the Right Honourable Antonio Lamer has had to abandon his current position as Chair of the Governance Review Panel of the Canadian Medical Association Journal. The former Chief Justice of the Supreme Court until January 6, 2000, is apparently again suffering serious health problems.

You will no doubt wish to join me in sending our most positive thoughts in his direction together with our prayers.

Antonio Lamer is an old friend. Friends introduced me to the future judge in the fall of 1956, nearly 50 years ago. He was preparing for the bar admission exams, which he passed a year later. That same year, 1957, I won the prize, young actress that I was, as the discovery of the year. It was Antonio Lamer who accompanied me that memorable evening. At the time, the gossip sheets in Montreal made much of the couple that had caught the public eye.

Then we went our separate ways. Antonio Lamer was only 36 in 1969 when he was appointed to the Superior Court. Two years later, he was a member of the Canadian Law Reform Commission, which he went on to chair in 1976.

In 1978, he was appointed to the Quebec Court of Appeal and in 1980, the Supreme Court of Canada. Ten years later, Brian Mulroney appointed him Chief Justice. He had reached the highest position a lawyer can dream of. His career plan was a complete success.

Even though our paths no longer crossed, I was always proud to say after each of these increasingly impressive appointments, without wanting to brag, "I knew him well".

A few years after I arrived on the Hill, when I was the Deputy Speaker of the green chamber, it was my task to present myself at the door of the Senate to seek Royal Assent for a number of bills. As happens from time to time, the Governor General was replaced that day by a puisne judge of the Supreme Court.

To my great delight, I found myself before Justice Lamer. Here was the person we had once upon a time called, simply, Tony and who had become His Lordship. We had good fun at the little reception that follows the ceremony.

Antonio Lamer is a workaholic. He never loses his sense of humour. After his heart problems, he apparently took pleasure in saying, "My heart stopped, but I appealed my case". Let us hope that once more his arguments may be heard and that he will be granted another stay, for his benefit and ours.

Perhaps His Lordship will allow me today to hope that he will recover quickly and will again do me the honour of sharing a good meal. I am sure that all of you, honourable senators, will want to join me in offering him our best wishes for a speedy recovery and long life.

• (1340)

[English]

THE HONOURABLE SANDRA LOVELACE NICHOLAS

CONGRATULATIONS ON RECEIVING HONORARY DEGREE

Hon. Rose-Marie Losier-Cool: Honourable senators, I rise today to congratulate Senator Sandra Lovelace Nicholas on receiving an honorary degree from one of her alma maters, St. Thomas University in Fredericton, this past Monday.

We all know of our honourable colleague's long-standing reputation as an efficient human rights activist and as an irreplaceable beacon for her sisters from the First Nations. A member of the Order of Canada and a recipient of a number of human rights awards, she remains today just as modest and hard working as ever, something that many senators, I am sure, have noticed.

I was honoured to have been her sponsor in the Senate.

She might blush too furiously if I go on. I shall simply close by asking honourable senators to join me in congratulating Senator Lovelace Nicholas on her latest honour.

FIBROMYALGIA AND CHRONIC FATIGUE SYNDROME NATIONAL AWARENESS DAY

Hon. Wilbert J. Keon: Honourable senators, I rise today on behalf of the estimated 1 million Canadian men, women and children who suffer from fibromyalgia and chronic fatigue syndrome. Tomorrow, May 12, is National Awareness Day for Fibromyalgia and Chronic Fatigue Syndrome.

Fibromyalgia means aching, throbbing, shooting and stabbing pain in the muscles, ligaments and tendons. Most patients say that they ache all over. It afflicts more women than men but shows up in people of all ages.

Five hundred cases appear weekly, totalling more than 30,000 per year, costing Canadian taxpayers about \$3.5 billion in disability insurance benefits annually. Approximately \$1.2 billion is spent per month on medication and \$0.3 billion on physician fees; but this does not include the medication and therapies that are not reimbursed, legal fees, lost wages due to the inability to work and lost savings, which are needed to fund treatment not covered by provincial health care plans.

It is estimated that approximately 20 per cent of the population is unable to work due to this condition, but the number is likely higher. If this number is actually 40 per cent, federal costs would double from \$3.5 billion to \$7 billion per year.

There is no known means to avoid the illness. There is no known cause. There is no known cure.

Honourable senators, I hope you will join with me in pressing for more research into this condition until some answers are found. Let us all join in the support of these people who are suffering so hopelessly.

ALBERTA

LETHBRIDGE—ONE-HUNDREDTH ANNIVERSARY

Hon. Joyce Fairbairn: Honourable senators, yesterday I missed our session here in the Senate because I was away in Lethbridge, Alberta, celebrating the one-hundredth birthday of my hometown, of which I am so proud.

Our forefathers and mothers had the vision to settle in what I believe is the most beautiful corner of Canada, first beginning as Fort Whoop Up, surrounded on one side by the prairies and the other by the banks of the Oldman River Valley, rolling into beautiful foothills and glorious mountains — even the wind is special.

It was a terrific celebration. For days, thousands came out for picnics in the park, outdoor concerts and the grand opening of the expansion of our outstanding Galt Museum, formerly the hospital in which I was born.

• (1345)

Looking out across the river valley, that museum holds the memories of our beginnings, including our continuing friendship with the Blood Tribe of the Blackfoot Confederacy, the reminders of the coal industry on which we were built and the extraordinary high level bridge, the longest and tallest of its kind in the world, which guided the railways and our products and people to and from the outside.

It also holds the memories of the arrival of our Japanese citizens who were, sadly, forced over the mountains from British Columbia during World War II into our small, rural communities and succeeded in making all of us ever stronger and wiser.

Although 1906 is a long way back, in historic terms Lethbridge is a young and dynamic city. Those who came there were seeking a new life, a haven from fear and violence and a chance for a prosperous future, no matter how tough these beginnings were.

My grandfather was one of those pioneers. A frontiersman, a stagecoach driver and a merchandiser, he came in 1898 from North Battleford, Saskatchewan to set up a general store. One hundred years ago he became the first Sheriff of Lethbridge who, I am told, still had the power to call up a mounted posse, if necessary.

Throughout those years we have been blessed with visionary leaders, a military presence, strong workers, outstanding farmers, innovative industries, extraordinary educators in our schools, college and university, a culture of arts, theatre and music, a broad variety of religions, first class hospitals and always good civic government and a constantly growing population of loyal citizens from every corner of the world.

I cannot adequately express my pride in being able to serve that corner of our country as a senator in the Canadian Parliament and I am sure that I share with each one of you in your commitment to your home and your Senate.

[Translation]

OFFICIAL LANGUAGES COMMISSIONER

Hon. Claudette Tardif: Honourable senators, yesterday the Commissioner of Official Languages, Ms. Dyane Adam, submitted her annual report. Her term will soon expire. I would like to take this opportunity to thank Ms. Adam for the excellent work she has done over the past seven years.

Minority official language communities have found in the Commissioner an important ally. The Commissioner of Official Languages' latest report looks to the future, offering a number of benchmarks and suggesting areas for renewal. In her report, the Commissioner highlights how important the adoption of Bill S-3, proposed by our former colleague, the Honourable Jean-Robert Gauthier, was for communities.

She emphasizes that Bill S-3 will have an impact on the relationship between the government and communities, and that federal institutions will have to integrate their new obligations into their organizations.

She recommends that the President of the Treasury Board address the issue of regulation, specifically, that he modernize the Official Languages Regulations — Communications with and Services to the Public, and that he examine the relevance of adopting new regulations that aim to specify the implementation of the obligations set out in other Parts of the Official Languages Act, particularly Parts V and VII.

[English]

The commissioner's report invites official language minority communities, the federal government and its institutions as well as all Canadians to a better dialogue to support and promote

linguistic duality as a core Canadian value in our country. In particular, the commissioner recommended that the minister of official languages:

...initiate a dialogue with the various stakeholders in Canadian society to identify the measures to take in order to fully integrate the fundamental values of linguistic duality and cultural diversity into our governance models and derive the full benefits that flow from them.

[Translation]

Honourable senators, as defenders of minorities, and given that linguistic duality was not mentioned in the last budget, we have to ensure that the government's commitment to increasing federal accountability also extends to official languages.

Honourable senators, please join me in thanking the Commissioner for seven years of hard work.

• (1350)

[English]

VISITORS IN THE GALLERY

The Hon. The Speaker: Honourable senators, before proceeding to Routine Proceedings, I should like to draw your attention to the presence in the gallery of a group of students from the Baddeck Academy, in Nova Scotia, who are the guests of Senator Forrestall.

On behalf of all honourable senators, I welcome these students and trust that they are finding instructive their visit to the Parliament of Canada and to this chamber.

[Translation]

ROUTINE PROCEEDINGS

BANKING, TRADE AND COMMERCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY PROCEEDS OF CRIME (MONEY LAUNDERING) AND TERRORIST FINANCING ACT

Hon. Gerald J. Comeau (Deputy Leader of the Government): I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to undertake a review of the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* (S.C. 2000, c. 17) pursuant to Section 72 of the said Act; and

That the committee submit its final report no later than September 28, 2006.

[English]

CANADIAN-NATO PARLIAMENTARY ASSOCIATION

NATO PARLIAMENTARY ASSEMBLY,
NOVEMBER 11-15, 2005—REPORT TABLED

Hon. Jane Cordy: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the delegation of the Canadian-NATO Parliamentary Association respecting its participation in the Fifty-first annual session of the NATO Parliamentary Assembly held in Copenhagen, Denmark, November 11-15, 2005.

[Translation]

ASSEMBLÉE PARLEMENTAIRE DE LA FRANCOPHONIE

BUREAU MEETING, FEBRUARY 2-4, 2006—
REPORT TABLED

Hon. Pierre De Bané: Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, three reports of the APF.

First, the report of the Canadian delegation of the Assemblée parlementaire de la Francophonie respecting its participation at the Bureau Meeting of the APF held in Noumea, New Caledonia from February 2 to 4, 2006.

EDUCATION, COMMUNICATION AND CULTURAL
AFFAIRS COMMITTEE, MARCH 21-22, 2006—
REPORT TABLED

Hon. Pierre De Bané: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Assemblée parlementaire de la Francophonie respecting its participation at the Education, Communication and Cultural Affairs Committee of the APF, held in Antananarivo, Madagascar on March 21 and 22, 2006.

CONFERENCE OF PRESIDENTS OF THE AMERICAS
REGION, MARCH 22-23, 2006—REPORT TABLED

Hon. Pierre De Bané: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Assemblée parlementaire de la Francophonie respecting its participation at the Conference of Presidents of the Americas Region, held in Augusta, Maine on March 22 and 23, 2006.

CO-OPERATION AND DEVELOPMENT COMMITTEE,
MARCH 14-16, 2006—REPORT TABLED

Hon. Rose-Marie Losier-Cool: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian delegation of the Assemblée parlementaire de la Francophonie respecting its participation at the Co-operation and Development Committee, held in Delémont, Jura from March 14 to 16, 2006.

• (1355)

[English]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

OSCE PARLIAMENTARY ASSEMBLY,
FEBRUARY 23-24, 2006—REPORT TABLED

Hon. Consiglio Di Nino: Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report of the delegation of the OSCE Canada-Europe Parliamentary Association, respecting its participation in the Winter Session of the OSCE Parliamentary Assembly held in Vienna, Austria, February 23 and 24, 2006.

INTERNATIONAL ELECTION OBSERVATION MISSION
TO UKRAINE, MARCH 26, 2006—REPORT TABLED

Hon. Consiglio Di Nino: Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report of the delegation of the OSCE Canada-Europe Parliamentary Association, respecting its participation in the International Election Observation Mission of March 26, 2006, parliamentary elections in Ukraine.

[Translation]

QUESTION PERIOD

PUBLIC WORKS AND GOVERNMENT SERVICES

CULTURAL INFRASTRUCTURE PROGRAM

Hon. Serge Joyal: Honourable senators, I will address my question to Senator Fortier. This is my first opportunity to address Senator Fortier and I would like to congratulate him on his appointment to the Senate. We are pleased to have him among us as a fellow senator, especially one representing the Montreal area.

I would like to speak to him as minister responsible for the strategic infrastructure program, which was established by the previous government and was confirmed in last week's budget, with a global envelope of \$5.5 billion.

As the minister responsible for the Montreal area, you must know that cultural infrastructure plays a strategic role in the economic development of Montreal, employing more than 100,000 people and helping to create economic benefits totalling \$5.5 billion.

However, at noon yesterday, during the Board of Trade of Metropolitan Montreal monthly luncheon, the president of the Conseil des arts de Montréal, Mr. Maurice Forget, stated:

Toronto has taken over what used to be Montreal's lead in cinema, visual arts and opera.

Could the honourable senator tell us what measures he intends to take, as a Montrealer and as minister responsible for infrastructure programs, in order to ensure that this gap is

closed so that Montreal can compete on an even playing field with other large Canadian cities, particularly in the areas I mentioned, namely, cinema, visual arts and opera?

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I thank Senator Joyal for this question. I must first correct one point: I am not the minister responsible for that infrastructure program. But, with your permission, I will answer the question because I feel that it has a broader connotation regarding our government's support for the cultural sector.

• (1400)

You will have noted, and I believe that the newspapers reported the comments made by people very close to the Canada Council and Culture Montréal, that the 33 per cent increase announced in our recent budget for the Canada Council's base funding was very, very well received. Of course, this 33 per cent increase is equivalent to \$50 million over two years. It will have significant benefits for Quebec because the way in which the Canada Council distributes the money gives Quebec more than 35 per cent of this budget for cultural agencies in Quebec, including of course cultural agencies based in Montreal.

This is an excellent step by Mr. Harper's government to support Canada's cultural community in general; indirectly, the cultural community in Quebec and especially in Montreal welcomed the news.

Senator Joyal: With all due respect, the honourable senator did not answer my question, which is about infrastructure. The Canada Council budget provides operational support for cultural agencies. It does not provide capital funds. The cultural infrastructure program can include a major capital component. The proof is that seven of the largest theatre, dance and opera companies — and some museums — in Toronto received money from the previous infrastructure budget and put it toward remarkable development. Far be it from me to criticize Toronto. They have invested in their plans and their future. I am talking about cultural infrastructure in Montreal.

Yesterday, at the same conference, the president of the Canada Council complained that the theatre district in Montreal needs major investments in projects that urgently require capital funding. This includes the project to expand the Montreal Museum of Fine Arts, which the senator knows well, and the concert hall that has been talked about in Montreal for 25 years. I am talking about capital funding, and I would like the minister to tell us what sort of leadership he is going to provide so that these cultural infrastructure projects can move ahead and have a positive outcome in the coming months.

Senator Fortier: I reiterate that I appreciate the honourable senator's question. I repeat that this fund is not my department's responsibility. I will take note of it and discuss the matter with the minister responsible for the fund, Mr. Cannon.

I want to assure you that, as minister responsible for the Montreal region, if requests for cultural infrastructure projects were to be made here in Ottawa, requiring support through this fund, you would find an intervener from Montreal who is very interested in supporting cultural infrastructure projects.

MONTREAL—
SUPPORT FOR CULTURAL INITIATIVES AND TOURISM

Hon. Céline Hervieux-Payette: Honourable senators, my question is for Senator Fortier, minister responsible for the metropolis. I will take advantage of my first question for the senator to congratulate him on his appointment and especially to tell him that we are counting on him. My question is along the lines of that of my colleague; we would like to adopt Senator Fortier with regard to promising projects for Montreal.

Can the minister and senator assure us that he will respect the priorities of the Montreal community? Will he be the sponsor vis-à-vis the government of a promising project for Montreal? The Montreal Chamber of Commerce, Tourisme Montréal, and the provincial and municipal authorities support the development of the Old Port facilities with a budget of \$215 million over a 10-year period, including approximately \$170 million for federal facilities, or less than half of the \$400 million that was invested in Toronto's Harbourfront?

• (1405)

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I thank the senator for her question. On several occasions, I have met with representatives of the Chamber of Commerce, the Société du Havre and other groups that want to promote various projects and infrastructures in the greater Montreal area.

I assured them of my support to see certain projects through. It must be understood — and I know you all understand this — that not all of these projects can be completed. It is important to prioritize them. That is why I want to talk about culture.

I know that, as a Montrealer you are interested in culture, and that last week's victory meant a lot. For the past eight years, the Canada Council's budget had been frozen by the previous government. Last week, the government allocated \$50 million to the Canada Council for the Arts, more than a third of which will be spent in Quebec, mostly in the greater Montreal area.

Senator Hervieux-Payette: I am pleased that the cultural sector is doing so well. However, we need somebody to champion Old Port development projects that will highlight the heritage value of this several-hundred-year-old site. That person must improve the port facilities that serve both American visitors and Ontarian visitors coming from the Great Lakes. He must enable more than 7 million visitors from across Canada and around the world to take advantage of facilities that will give them access to the St. Lawrence River.

My question is very specific. Since this is a priority for Montreal stakeholders, will the minister champion the cause of improving Old Port facilities?

Senator Fortier: I am aware of the excellent report prepared by your colleague and the former premier of Quebec. This excellent report suggests several very interesting projects and appears to indicate a consensus on some projects. I would like to congratulate Senator Fox for the considerable work and effort he put into preparing this report with former Premier Bouchard.

I wanted to emphasize that in our first 100 days, I managed to make progress on a file that is very important for the Montreal area. As you know, culture in Montreal translates into tens of thousands of jobs throughout Quebec, but mainly in Montreal. Creativity is important to Montrealers. The first people I met from the Chamber of Commerce told me: "Mr. Fortier, you must ensure that the arts community receives additional funding." We delivered the goods.

I ask you to give me some time with the other projects — including those you mentioned — to try to establish a consensus, first in Montreal and in the province of Quebec. I will try to be the champion for them in Ottawa.

Hon. Lise Bacon: Honourable senators, my question is for the minister responsible for the Greater Montreal area. The minister is well aware that Montreal is known as the city of festivals.

The *Montreal International Jazz Festival* and the *Just for Laughs* Festival received considerable financial support from the Canadian government when they were first launched and now make a significant cultural and economic contribution.

I do not want the Leader of the Government in the Senate to bother the minister, since she is allowing him to answer for once. I repeat. They make a significant economic contribution and are a key tourist attraction. Given the importance of these major events for Montreal, can the minister assure us that, in response to requests from the arts community, he plans to restore federal contributions to a level that will allow these festivals to remain competitive internationally in terms of quality?

Senator Fortier: Honourable senators, I thank Senator Bacon for her question. I know her to be an avid patron of the arts. I saw her recently at a premier of *Cavalia*, in Laval, where we both thoroughly enjoyed the performance. I attend these Montreal festivals.

• (1410)

I spend my weekends in Montreal and I find it important that we continue to support these festivals which, as you indicated, not only draw hundreds of tourists, but also make us extremely proud as Quebecers and Montrealers. As you probably know, Senator, these organizations have made applications, mainly to my colleague at Canadian Heritage, but I have also been asked to make sure that funding is made available to them in the near future to ensure that such festivals can continue and flourish. You can count on me to be their spokesperson in Ottawa.

Senator Bacon: Honourable senators, both levels of government provide tax credits for film and television production. Given that the Government of Quebec also provides a tax credit for producing live shows, could the minister responsible for the Montreal region make recommendations to his colleague at Finance, suggesting that his government follow the good example of the government in Quebec and also provide a tax credit for productions such as the *Just For Laughs* Festival and the *Jazz Festival*, which would ensure their sustainability as some of the best festivals in the world? That is what matters to them.

Senator Fortier: I appreciate the suggestion. It is noted, and I will convey it to my colleagues.

DAVIE SHIPYARDS

Hon. Dennis Dawson: Honourable senators, Mr. Minister, as a native of the Quebec City area, you are no doubt aware of the saga of the controversial Davie shipyard, its operations, its future and its survival. As the Minister of Public Works, involved in partnerships with the leading dry dock facilities in eastern Canada, what are your intentions as regards its potential dismantling and the sale of its assets?

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I know that you are familiar enough with the responsibilities of ministers in Ottawa to know that the Davie Shipbuilding yard, which I know well, having grown up right across from it, does not fall under the purview of my department. I have read in the papers and I am saddened to learn that it might be going into liquidation. I hope that the company's liquidation can be avoided through some long-term solution and that its order book will be filled with projects that will create jobs for people in the area.

Senator Dawson: Honourable senators, I have a supplementary. In the coming years, your department will be required to administer many calls for tender for frigates, re-provisioning, and so on, which will require a dry dock the size of the one in the Davie shipyard, but it will probably have been dismantled. How do you foresee handling this shortage of equipment in Eastern Canada to ensure real competition? Could you confirm that shipyards will be excluded from the free trade agreement with Korea?

Senator Fortier: Honourable senators, you are right. The Department of Public Works plays an important role in supplying these parts for National Defence, but the Department of Public Works comes into play only once the Minister of Defence and the cabinet have approved the assets the minister and the cabinet wish to purchase.

However, should these assets include components or parts that could be built in shipyards, yours or others elsewhere in Canada, you will find a champion who will ensure that these orders are filled by these shipyards, so long, of course, as commercial terms that are advantageous to Canadian taxpayers can be agreed upon.

INDUSTRY

AID TO MANUFACTURING SECTOR

Hon. Jean-Claude Rivest: Honourable senators, I would like to welcome Senator Fortier, the Minister of Public Works and Government Services. However my question is not directed to him but to the Leader of the Government in the Senate.

The manufacturing sector in Canada is under considerable duress because of the phenomenon of globalization and, specifically, competition from countries in Southern Asia and India. In Quebec, for example, nearly 10,000 jobs have been lost in sectors such as furniture and textiles. In the most recent election campaign, the Right Honourable Prime Minister did not include or did not mention the very serious problem of the entire Canadian economy among his five priorities.

• (1415)

Unfortunately, just a passing mention was made of this matter in the Throne Speech. In the budget there was one important measure, we must admit, and that was the mention of capital gains, which may certainly help the manufacturing sector experiencing difficulty due to competition. Nevertheless, this issue has not yet been broached by the new government. In Quebec, as in the rest of Canada, union and business leaders decried this failure and are asking the government, and the Minister of Industry and Trade in particular, for a policy and an attitude. Is the minister able to inform this House of the status of work or decisions that the government is preparing to take to assist businesses, in particular small and medium-sized businesses that are much more vulnerable than large businesses with the means to merge and to compete?

[English]

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Rivest for that question. There is no doubt that some small manufacturing and mid-sized manufacturing industries in the country are experiencing difficulty. Measures were taken in the budget to begin to address the problem, although undoubtedly other measures will have to be taken. In Budget 2006 that Minister Flaherty delivered on May 2, he took important action to provide a tax advantage to Canadian manufacturing and business more generally. The budget takes immediate action by lowering the small business income tax rate and increasing the amount of small business income eligible for the reduced federal tax rate.

As the honourable senator mentioned, we are eliminating the capital tax on corporations in 2006, which will improve the business climate and help to generate further investments. There will also be an increased investment in infrastructure, including the new \$2.4 billion Highway and Border Infrastructure Fund, which will help trade and the manufacturing sector.

[Translation]

Senator Rivest: The measures and provisions just mentioned by the minister will help. In this area and with regard to this problem, the minister was associated with the former government when the free trade agreements were negotiated. The Canadian government is very aware that one-time or specific measures that may be taken will be insufficient unless there is co-ordination, as there was at the time of the establishment of free trade and NAFTA, with the set of measures and provisions adopted by provincial governments, in particular to assist small and medium-sized businesses, regional development and professional training. Would the minister suggest or indicate to her colleague at Industry and Trade and to the other ministers involved in this matter that it is very important and urgent to convene a meeting in order to promote a comprehensive and decisive approach to counter the numerous, unfortunate job losses engendered by this situation?

[English]

Senator LeBreton: Honourable senators, I would certainly be happy to make representations to the other ministers.

With regard to small business, I do believe that our government has made a good start. The President and CEO of the Canadian Manufacturers and Exporters Association said this about the budget: "This is encouraging. Much better for business than we have seen for the last five years."

Another part of my answer, which I could have given earlier, was that other investments will also help the manufacturing sector. We are investing \$303 million over two years to build a secure and trade efficient border that relies on technology information, sharing and biometrics. To the specific question that the honourable senator raised about having ministers engage each other — not only ministers from the province of Quebec but also from the province of Ontario, because there are quite a number from Ontario as well — I would be most pleased to make representations to the minister not only on behalf of the honourable senator, but also on behalf of all our colleagues.

• (1420)

[Translation]

PUBLIC WORKS AND GOVERNMENT SERVICES

NEW RCMP HEADQUARTERS—BIDDING PROCESS

Hon. Francis Fox: Honourable senators, my question is for the Minister of Public Works. After a jaunt to Montreal and Lévis, I would like to bring him back to the national capital region.

Yesterday evening, the minister explained his basic philosophy about carrying out his department's mandate and the tone he wants to give his department, and I quote:

We will...promote fairness, openness and transparency in the bidding process.

This morning, we read on the front page of the *Ottawa Citizen* that his government and his department have decided to move the RCMP into space previously occupied by JDS Uniphase. Nowhere does the article say anything about a bidding process. Can the minister assure us that there was a bidding process, and if not, why not?

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I thank the senator for his question. There is a very large team at Public Works that handles relocations of government employees, especially moves in Ottawa. This team is very knowledgeable about vacancy rates in Ottawa and the buildings available, depending on the number of square feet and the space required.

With respect to the case you mentioned, I think you will agree that the article described the situation particularly well. You were on the other side of this chamber when the government had the opportunity to acquire this building several years ago for what I know you will agree was a reasonable price. The government chose not to acquire it. Today, the RCMP's needs in terms of human resources and equipment are forcing it to move because the government's estimated costs to renovate the current RCMP building and to provide the RCMP with state-of-the-art equipment would almost exceed the cost of moving. The

department thought it should find a new home for the RCMP, and the JDS campus was available. If your government had bought it three years ago, it would have got a steal of a deal. Your government chose not to buy it. Even in today's real estate market, this move is a good deal for Canadians. The transaction has not yet been finalized, but we signed a letter of intent with the owner. Once the transaction has been finalized — and I hope it will be — Canadian taxpayers will find that we negotiated a very good deal for them despite the fact that your government could have bought the building, as you know, for much less a few years ago but chose not to do so.

BIDDING PROCESS FOR NEW PROJECTS

Hon. Francis Fox: Last night, we discussed the distribution of office space and government employees on either side of the Ottawa River. We are indeed talking about 900,000 square feet and 1 million square feet, which represents a difference of approximately 1 per cent. This means that 1 million square feet more would be going to the Outaouais side, making the ratio 76/24, and not 76/23, as you indicated last night.

Is the minister prepared to direct his department, in the event of any new potential moves of employees or new capital expenditures, to solicit bids, because, as a general rule, the bidding process is open to everyone in the National Capital Region? This could mean cost savings to the government of approximately 25 per cent in the Outaouais area.

Hon. Michael Fortier (Minister of Public Works and Government Services): Thank you for your question. Whenever we think of moving large numbers of employees, particularly in the RCMP, specific needs have to be taken into account. I will repeat what I said last night. I hope that during my time at Public Works and Government Services Canada, as short or long as it may be, I will be able to bring us closer to that 75/25 target set more than 25 years ago and which we support.

• (1425)

However, for this percentage to be brought up to 25 there has to be space available across the river to accommodate the type of operations conducted by the RCMP.

As I said last night — and I will repeat it today — I am currently looking at various options involving either moves or new construction to ensure a proper rebalancing of this 75/25 ratio.

[English]

NATIONAL DEFENCE— RELOCATION OF HEADQUARTERS

Hon. J. Michael Forrestall: Honourable senators, my question is directed to either the Minister of Public Works and Government Services or the Leader of the Government in the Senate, whichever one would care to respond.

The issue of the JDS Uniphase building has been around for a long time. There have been many pots boiling with respect to it and I have never once seen a bidding process even remotely considered.

This circumstance leaves the Department of National Defence in the nation's capital looking for a great deal of space within the National Capital Region while taking into account the accommodation of municipalities, the problem of cross-city transportation and, above all, getting DNDHQ out of downtown Ottawa. Is any progress being made on this issue?

Hon. Michael Fortier (Minister of Public Works and Government Services): I want to ensure that honourable senators understand that the transaction that was referred to in the papers this morning is not yet finalized. It is a memorandum of understanding. I am hoping that we will come to final terms with the owners of the JDS Uniphase building. When we do, we will obviously inform the public.

With respect to potential moves of departments, as senators know, we at the Department of Public Works are very much the back office of the state. We come into play once a department informs us that they wish to relocate. They use our services in order to find a new home. When and if DND or another department chooses to relocate, we will try to assist in relocating them.

THE ENVIRONMENT

CLEAN-UP OF SYDNEY TAR PONDS

Hon. Terry M. Mercer: Honourable senators, the Sydney tar ponds is one of the worst environmental disasters in Canada, an unfortunate legacy of past practices of the industrial age. In the budget of 2004, the Liberal government provided up to \$500 million to support the remediation of contaminated areas such as the tar ponds in Sydney, Nova Scotia. Out of this, the Liberal government committed \$280 million toward the \$400-million federal-provincial agreement to clean up these notorious ponds. This year's budget of the new Conservative government seems to have gutted all funding for environmental policies, including the Sydney tar ponds. The new government seems to be suffering from environmental clean-up "interruptus" with no mention of the important funding for the clean-up.

My question is directed to the Minister of Public Works. Who will tell the residents of Sydney, Nova Scotia, that they will have to wait even longer for the clean-up to be completed because of the Conservative funding "interruptus" and the pullout of funding from the tar ponds?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for that question. The tar ponds are still in the sad state that they have been in for the last 13 years. I will take the question as notice.

PUBLIC WORKS AND GOVERNMENT SERVICES

CLEAN-UP OF SYDNEY TAR PONDS

Hon. Terry M. Mercer: Honourable senators, the previous government not only allocated funds in the budget I mentioned a moment ago but also allocated a further \$300 million in the Liberal budget of 2005 to enrich the Green Municipal Funds, half

of this amount to be targeted to the clean-up of brown fields like the Sydney tar ponds. This was on top of the hundreds of millions of dollars previously allocated in the budget of 2004, which I mentioned earlier, and after years of belt-tightening by Canadians to get our financial house in order.

• (1430)

After years of neglect by the Mulroney government, it seems the new Harper government will slowly spend its way into the Mulroney legacy while ignoring the needs of ordinary Canadians, including the good people of Sydney.

Again I ask the minister: Who will tell the people of Sydney why funding has not been promised for this cleanup, or will this be turned over to the Minister of the Environment? Does she have to go to Sydney to tell them? Does the regional minister, Minister MacKay, when he is back in the country, have to go to Sydney to tell them, or has Peter MacKay let down the people of his own province? Will it be left to us to tell the people of Sydney that, again, Peter MacKay has let down the people of his own province? Will the Harper government continue to act in secret and cut funding to more programs affecting Canadians?

Hon. Michael Fortier (Minister of Public Works and Government Services): I thank the honourable senator for his question. I was interested in the fact that the honourable senator said the people of Sydney wanted to know. I think they do know. Perhaps the honourable senator will allow me to read verbatim an answer that was given in the other House last week to this exact question by my parliamentary secretary, who said:

Mr. Speaker, cleaning up the Sydney tar ponds is an issue of importance to all Nova Scotians.

The Government of Canada is working with the Province of Nova Scotia and is committed to the clean-up project.

The Government of Canada will contribute up to \$280 million, in concert with the Nova Scotia government which is contributing \$120 million... the project is going forward as planned and we will ensure that the Sydney tar ponds are cleaned up for Cape Bretoners, Nova Scotians and all Canadians.

Some Hon. Senators: Hear, hear!

POINTS OF ORDER

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I rise on a point of order.

A moment ago, Your Honour, the Minister of Public Works and Government Services said that he intended to quote from a speech given by his parliamentary secretary in the House of Commons, and proceeded to do so at some length. As I understand it, parliamentary secretaries are not ministers of the Crown. Rule 46 of the *Rules of the Senate* states, in part, that it is out of order to quote from the contents:

...of a speech made in the House of Commons in the current session...unless it be a speech of a Minister of the Crown in relation to government policy.

Therefore, we have a pretty clear infringement of the rules, if Your Honour agrees.

• (1435)

Hon. Anne C. Cools: Honourable senators, Senator Fraser has placed before the Senate the substance of rule 46, of which most of us veterans here are aware. However, Senator Fortier is new in two ways. He is a new senator. In addition, he is a new minister. Rule 46 of the *Rules of the Senate of Canada*, where the margin notes read "Quoting Commons speech," states:

The content of a speech made in the House of Commons in the current session may be summarized, but it is out of order to quote from such a speech unless it be a speech of a Minister of the Crown in relation to government policy. A Senator may always quote from a speech made in a previous session.

An Hon. Senator: It was not a speech.

Senator Cools: Will you let me do this, boys, or not? Fine.

Honourable senators, I am trying to say that this particular minister, Senator Fortier, is new to this chamber. If the game is "who can talk louder," I might have to oblige the boys down there.

In any event, honourable senators, it is clear that Senator Fortier made a mistake, but there has been no intention.

If any of those foghorns over there wish to speak, I invite them to take the floor, get on their feet and speak, and I will be happy to yield to them. Go ahead and speak and I will speak afterward because I know they will say nothing.

Some Hon. Senators: Oh, oh.

The Hon. the Speaker: Order. The Speaker has likely heard enough on this point of order. I recognize Senator Fortier.

Hon. Michael Fortier (Minister of Public Works and Government Services): Your honour, I apologize if I have breached a rule. I was trying to respond to the question as directly as I could. I will ensure in the future that I will not quote speeches from the House of Commons.

The Hon. the Speaker: Honourable senators, I believe I have heard enough on this point of order. I will take it under advisement and issue a ruling. That point of order has been dealt with and is now in the hands of the chair.

Hon. Hugh Segal: Honourable senators, in his question to the Minister of Public Works and Government Services, Senator Mercer made passing reference with respect to whether the Minister of Foreign Affairs should return to the country. I am sure the honourable senator would not wish to have on the record any aspersion to our Minister of Foreign Affairs being with our troops in Afghanistan and showing support for their effort. I wanted to give the honourable senator the opportunity to reflect on that.

Hon. Terry M. Mercer: Honourable senators, I have no need to reflect on the matter. I am supportive of our troops in Afghanistan, have been from the get-go and will continue to be. However, I am not supportive of the grandstanding by the Honourable Senator Segal, who interprets my political comment about the absence of the Minister of Foreign Affairs, the absence of the minister responsible for Nova Scotia, the absence of the minister responsible for ACOA and the absence of the minister responsible for Prince Edward Island, who is not here to do his job. He should be on his way back. My question was: Who will tell the people of Sydney about this problem.

I did not receive a satisfactory answer from the Minister of Public Works and Government Services because he regurgitated a speech given in the House of Commons. He told me about \$280 million that I had referred to already in my speech. I know that money is there. I want to know why there is no commitment by this government. I am supportive of the troops and I resent the implication made by Senator Segal.

Some Hon. Senators: Hear, hear!

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I noted in my scroll that we might receive a ruling today on a matter that Your Honour has under consideration. When might the house expect the ruling?

The Hon. the Speaker: The rulings are beginning to pile up, so I had better start issuing them.

• (1440)

SPEAKER'S RULING

The Hon. the Speaker: Before continuing with Orders of the Day, honourable senators, I will give my ruling on the point of order concerning the conduct of Question Period.

[Translation]

Honourable senators, last Wednesday, May 3, a point of order was raised by Senator Hays, the Leader of the Opposition, with respect to the conduct of Question Period. As I understand it, his objection had to do with the fact that the Leader of the Government took time that day to respond to questions which had been taken as notice by the Deputy Leader of the Government during a previous Question Period. Senator Hays asked me to rule on the point of order so as to provide guidance in the future for Question Period.

Several other Senators spoke to this point of order. As I stated last week, I appreciate the participation of Senators in these discussions. I find it very useful. In carrying out my responsibility, however, I must also take into consideration the rules and practices of this House. Indeed, rule 18(2) obliges me to state the reasons as well as any rule or other written authority when called upon to decide a point of order.

[English]

With respect to the basic complaint of the point of order, that questions asked at a previous sitting ought not to be answered during Question Period, I find that there is limited guidance based on the *Rules of the Senate*. These rules provide for 30 minutes every sitting for the purpose of posing questions to the Leader of the Government, any minister or to committee chairs about the work of their committees.

According to rule 24 (4) there is to be no debate, though brief explanatory remarks may be made in asking and answering questions. Rule 24 (3) states that when it is not possible to answer a question immediately, the senator to whom the question was asked may take the question as notice.

A literal reading of this rule might suggest that the presence in the chamber of the senator to whom a question may be asked is a *conditio sine qua non* of this rule.

However, in practice the rule operates in two ways. More frequently, it is applied when the Leader of the Government, a minister or a committee chair takes a question as notice. Less often, the deputy leader or a committee member takes as notice a question intended for the leader or a committee chair. This is what occurred last week.

I also point out that the Senate sometimes forgoes Question Period when the Leader of the Government is unable to be present in the chamber.

[Translation]

Delayed Answers are called at the end of the thirty minutes allowed for Question Period. It is at this time that answers to written questions on the Order Paper are presented. This is also when oral questions asked at a previous sitting can be answered. In either case, dealing with written or oral questions, the response is given in writing, one copy is tabled with *Hansard* and another is given to the Senator who asked the question. Much of this has come about through practice and through rulings of the Chair.

[English]

A year ago, May 3, 2005, my predecessor, Speaker Hays, made a ruling relating to an element of delayed answers. On that occasion, the Speaker ruled on a point of order challenging an instance when the Leader of the Government, then Senator Austin, used delayed answers to provide oral responses to questions that were first asked in a Question Period of an earlier sitting.

Reviewing this incident, the Speaker explained:

What occurred April 19, 2005, does not fall squarely within this pattern of accepted practice. Senator Austin provided an oral answer to a question that had been asked originally on April 13 by Senator Comeau. In making his answer, to which there was no written version, Senator Austin also suggested that he was prepared to answer additional questions. On both counts, this was a departure from the usual practice.

[The Hon. the Speaker]

[Translation]

Honourable senators, what occurred last Wednesday seems to me to fall outside of our usual practices. The rationale for prohibiting debate during Question Period and for creating Delayed Answers is due, in part, to the limited time given to Question Period. The thirty minutes allotted for questions and answers is to promote the immediate exchange of information about the policies of the Government or the work of a committee. Giving answers during Question Period that had been taken as notice at a previous sitting, detracts from this purpose and is a departure from established practice. Any response to questions asked at a previous sitting should be treated under Delayed Answers in the same way that all written questions are answered. These answers should be in writing with copies for the Table as well as for the Senator who asked the question. Upon request, these written answers can be read aloud so that they are incorporated into the *Debates*.

[English]

It is my ruling that the point of order is sustained. My purpose in making this ruling is primarily to explain how Question Period and delayed answers should be followed, and I expect that this problem will not come up again.

ORDERS OF THE DAY

APPROPRIATION BILL NO. 1, 2006-07

THIRD READING

Hon. Anne C. Cools moved third reading of Bill C-8, for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007.

She said: Honourable senators, during my second reading speech yesterday I attempted to lay out the circumstances and the conditions to which the Government of Canada in the body of the President of the Treasury Board, John Baird, had been responding. I related his response and the government's response in respect of creating an unusual supply process within an unusual supply period and an unusual timeline. I need not repeat that today.

Perhaps what I will do today is respond to some questions that were raised yesterday, particularly by Senator Murray.

While I was speaking, Senator Murray made reference to the special order that the House of Commons made on April 4, 2006. Perhaps the best way to proceed is by placing that entire motion on the record.

Yesterday Senator Murray, rightly and justifiably so, noted that the motion of April 4, which provided these unusual and large and I would even describe them as extravagant powers to the government in respect of supply, did not dictate, command or specify that Bill C-8 would be dealt with on May 3, 2006.

The essence of Senator Murray's intervention yesterday, and I think it is a justifiable one, was the haste, the rush and the insufficiency in the way the House of Commons dealt with Bill C-8 on May 3, 2006. I have a great deal of sympathy for Senator Murray's concerns. I thought today perhaps we should allow a few minutes of discussion on that.

Senator Murray is absolutely correct. The order of April 4, 2006, set a timeline, but it never commanded the government to go to the end of that timeline. That is why I am going to put the entire motion on the record. I only put it partially on the record yesterday.

What Senator Murray took issue with yesterday is that I stated that the order said that on May 3, 2006, the government must introduce Bill C-8, the supply bill. Senator Murray's words, and I quote them exactly at page 241 of *Debates of the Senate* yesterday, were:

No, not "on" — "by."

• (1450)

I thought that issue should have some proper clarification today and Senator Murray is correct.

I wish to put the whole motion on the record as it was made in the House of Commons by the Leader in the House of Commons, Mr. Nicholson. What the motion did — yes, it is an extravagant power; yes, they are enormous; yes, they are unusual; and yes, they are huge — but the order did not specify that these events had to take place on May 3. In other words, May 3 was the deadline, not the initiating day.

Perhaps I can read this and Senator Murray may wish to add a few remarks. It is quite a lengthy motion, so if honourable senators would bear with me, I think the record deserves this. The motion moved on April 4, and agreed to and adopted April 4, 2006 said:

Notwithstanding any Standing Order or usual practices of the House, on Wednesday, May 3, 2006, at fifteen minutes before the expiry of the time provided for Government Orders, the Speaker shall interrupt the proceedings then in progress and shall put forthwith and successively, without debate or amendment, every question necessary to dispose of any motion relating to interim supply and for the passage at all stages of any bill or bills based thereon...

Senator Murray is absolutely correct. The order specified that on May 3, the Speaker would rise to dispose of every question related to supply. The motion in no way said that the government should only introduce Bill C-8 on May 3. The motion addresses the question of the conclusion of the end of the debate, because, as Senator Murray raises the question, why did the government wait an entire month to bring Bill C-8, the Appropriations Act?

I shall continue to read the motion into the record. Paragraph 2 of the motion continues:

Notwithstanding any Standing Order or usual practices of the House for the purpose of considering the Main Estimates or any supplementary estimates in the year 2006, Standing Order 81 be amended as follows:

The first paragraph of Section (4) be replaced with the following:

"The Main Estimates to cover the fiscal year ending March 31, 2007, may be tabled and be deemed referred to the appropriate committees on or before April 25, 2006. Each such committee shall consider and shall report, or shall be deemed to have reported, the same back to the House not later than November 10, 2006, provided that:"

Section (4)(a) be amended by replacing the words "May 1" with the words "October 2, 2006," and the words "May 31" with the words "November 10, 2006";

Section (4)(b) be amended by replacing the words "May 31" with the words "November 10, 2006" in the two places they appear;

Section (8) be amended by replacing the word "June" with the word "December";

Section (10)(a) be replaced with:

"Fifteen sitting days shall be allotted to the Business of Supply for the period ending December 8, 2006, provided that eight shall be allotted before June 23. These fifteen days are to be designated as allotted days. No more than one fifth of these days shall fall on a Wednesday and no more than one fifth thereof shall fall on a Friday.";

Section 14(a) be replaced with:

"Forty-eight hours' written notice shall be given of opposition motions on allotted days, motions to concur in interim supply, main estimates, supplementary or final estimates, to restore or reinstate any item in the estimates and to oppose any item on the estimates.";

Section 17 be deleted;

Section 18 be amended in the first paragraph by replacing the words "June 23" with the words "December 8, 2006" and by adding, throughout the section, after the words "Main Estimates" the words "and the Supplementary Estimates"; and

3. Subject to the provisions of this Order, the business of supply shall otherwise be conducted in accordance with Standing Order 81.

I thought this record should contain and reflect the entire motion as moved by Mr. Nicholson, who is the minister in the other place. The record should also show that the senators in their debate here paid attention and considered the questions that Senator Murray raised.

Honourable senators, I was very well aware of this during my remarks yesterday. I made it quite clear that extraordinary powers were given to the government in respect of supply, that an unusual and a unique supply process was put into place. Simultaneously, it was our wish that, as had been indicated to Senator Day and I at the Senate committees hearings, that in the very near and

foreseeable future, the normal supply cycle would start to run again, and the normal supply process would go into existence again. That was my belief about what I heard in the committee, and it is still my belief now.

In respect of Senator Murray's remarks about the conduct of Bill C-8, this supply bill, in the House of Commons, I have more difficulty. Senator Murray is correct that the entire proceeding, all three readings and Committee of the Whole, took about 10 minutes, that there was not a single speech, that there was not a single question raised and it was fast and quick. Honourable senators, I like this no more than anyone else here. I did not touch on this matter because I am told again and again that the business of the House of Commons is the business of the House of Commons, and it is not up to us to deal with it.

However, I hope and pray as time goes by, and as Members of Parliament become more experienced, that more time will be given to these important matters. You can say the business of supply and Bill C-8 flew through the House of Commons like a bird; \$43.5 billion was passed with barely any attention at all.

Honourable senators, the record shows that I am a strong believer in the fact that these two houses should function properly as houses of Parliament. However, honourable senators, what is of importance is what we did in the Senate. Our committee received the estimates and did a study and an examination of them. Our committee presented these estimates in this chamber, and our senators to date have conducted what I would consider to be a good and worthy debate, putting the issues before the Senate for full consideration and debate.

I did not want Senator Murray's interventions to go unnoticed. In general, honourable senators, the fact that the House of Commons is paying insufficient attention to what I would consider to be the critical dimensions of Parliament — being the control of the public purse — to the extent that that is happening is to my mind most bothersome. We raised these questions in our individual caucuses and we have raised them on the floor of the chamber, but I think we should continue to be concerned. We should express our concerns and place them on the record to ensure that the President of the Treasury Board knows that the developments in the House of Commons about supply are causing great distress and consternation in this place.

Having said that, honourable senators, it is my sincere belief that this exceptional and unusual supply process that we are discussing yesterday and today is truly an exception. It is not something that should be repeated in the near future or at any time in the future. As I said before, the problem arose because of two situations coming together at a point in time in the calendar, being dissolution and an election period in combination with the fact that this dissolution and election period straddled two fiscal years.

• (1500)

I wish to thank Senator Murray for bringing this matter forward and for putting this on the record. His concerns are well-heeded and I shall make it my business to discuss this matter with the President of the Treasury Board.

Honourable senators, since so much of this process was thrown into motion by the use of the Governor General's special warrants, I wish to record a couple of statements from the National Finance Committee study on Governor General's

special warrants that occurred in 1989. Because this entire supply process, or parts of it, moved ahead being guided by section 30 of the Financial Administration Act, I will provide some background of the Senate's involvement in the development of the new section 30 of the Financial Administration Act, which took form in 1997. It took 10 years to get those changes.

Honourable senators, on May 17, 1989 the National Finance Committee heard from the President of the Treasury Board and some of us were a little amazed about what the then president had to tell us. The reported said:

In 1989 the executive government used special warrants in January, February, March, and April to make payments for carrying on the public service even although the new Parliament had met and even although supply estimates had been presented to the House of Commons.

The executive government states that it relied on the written opinion of its law officers that section 30(1) of the Financial Administration Act permits a government, using special warrants, to pay out public money for any purpose set forth.... The government contends that it may use special warrants in the same way when Parliament is not in session as special warrants have been used when there is no Parliament by reason of dissolution. The committee was told that there is no limit either on the total amount of public money that may be paid out by means of special warrants or on the time period for which a special warrant may be used.

The Committee rejects the interpretation placed on the Financial Administration Act, section 30, by the executive government. It finds that interpretation invalid.

First, that interpretation leads immediately to the proposition that it would be lawful and constitutional for the executive government to govern Canada without meeting Parliament to obtain supply, a proposition manifestly contrary to the principles of responsible government and parliamentary democracy.

Honourable senators who were here at the time would be very mindful that the National Finance Committee has an extensive corporate memory and knowledge of these particular problems around supply and that many, though not all, of the concerns around the exercise of Governor General's special warrants were met in the amendments in 1997. Senators remain concerned and committed to ever questioning and raising what they perceive to be deficiencies and insufficiencies in the supply process.

I served on the National Finance Committee in 1989. I was much younger in 1989, but in those days senators looked to their leaders like gods. I served on that committee with Senator John Stewart. I will always remember that when Senator Stewart rose to speak on that report, he quoted me, and I was greatly honoured.

According to Senator Stewart, I had raised in committee the critical question and in his speech, Senator Stewart repeated that that question for house. He said:

Honourable senators, earlier that day Senator Cools had asked Mr. de Cotret to tell the committee:

...if there are any limits on the amount of money for which special warrants can be used, or can I assume that special warrants can be used for the extent of the Treasury?

Mr. de Cotret answered:

To the best of my knowledge, there is no absolute limit, but they have to be amounts required for the orderly conduct of government business.

Honourable senators would be proud to know that senators were astonished by the President of the Treasury Board's response and that response founded the recommendations of the committee.

In any case, this supply bill, Bill C-8, is before the Senate asking for \$43.5 billion. The reasons and the circumstances have been put before honourable senators. To the extent that I feel confident that the normal supply process will be resuming in the foreseeable future, I would ask honourable senators to give this bill third reading, having noted the concerns.

The Hon. the Speaker: Honourable senators, Senator Day would have been speaking next. Senator Day had 45 minutes, but he is yielding to Senator Mitchell.

Is it agreed, honourable senators, that should the Chair of the National Finance Committee speak, he would have the reserved portion of his 45 minutes?

Hon. Senators: Agreed.

Hon. Grant Mitchell: I thank the Honourable Senator Day for yielding the floor to me.

Honourable senators, I rise to speak in support of these estimates and I do so out of an interesting conundrum. On the one hand, I am not supporting these estimates because they reflect anything in this government's agenda for the next year or two years, their minimal planning horizon, because I do not agree with much of that agenda. On the other hand, I am supporting the estimates because they are based on a 2005 budget and a supplementary budget later in the year that was designed and developed by the former Liberal government and these estimates based on that agenda are ones that I can embrace with enthusiasm.

When I support and vote for these estimates, it will not be on the basis of any enthusiasm for the future; it will be on the basis of nostalgia, reminiscence and a sense of hunger for what might otherwise have been. I wish to highlight several items in these estimates that could otherwise have been and unfortunately will not be.

I will begin with environmental policy. These estimates are based upon a 21st century view of what environmental policy should be. The government's agenda is based upon a 19th century view of what government can or will do with respect to the

environment. The estimates are premised upon a strong, modern, 21st century view of environmental policy directed at reducing greenhouse gases — \$10 billion underlie the premise of these estimates with respect to the environment, honourable senators.

There is a pledge of \$2 billion for the future for the environment, but that money is not actually in the budget. We go from a \$10 billion climate change green plan, which makes every effort to meet international obligations, to a \$2 billion, "we do not know what or when it will be implemented" environmental policy, because we have no idea of what it is.

We go from a \$10 billion of well thought out, structured, effort to reduce greenhouse gases commensurate with international obligations to the centrepiece of environmental policy, if I can use that term loosely, that was presented in the budget that talks about their bus pass program, \$1.3 billion that will very likely not reduce greenhouse gases at all. If it does, it will do so at approximately \$2,000 a ton. Our program is more efficient and would do so at about \$20 a ton.

• (1510)

Honourable senators, when I support these estimates, it will not be for a 19th century environmental policy that has yet to be delineated; it will be for a 21st century environmental policy that should have been implemented that was in these estimates.

As I consider what these estimates actually include, I lament the fact that there is an absence of strong commitment in the new government's perspective to fiscal responsibility. On the other hand, there is, in these estimates, a strong and profound commitment to fiscal responsibility. These estimates are premised upon, among other things, a \$1 billion prudence fund; \$1 billion to give us some leeway in the event that something unexpected should occur. I could list some events that did occur, BSE is amongst them. This government has no provision in anticipation of such an event. They predict a \$0.6 billion surplus; that is a minimal amount of cushion should this country meet some challenges that have not yet been anticipated and we all know that is likely to occur.

I am also concerned that the government's perspective of the new initiative with respect to debt repayment does not embody what is embodied in these estimates. This government has reduced debt by approximately \$70 billion over the last eight to 10 years. The new initiative would assign \$3 billion to debt reduction. At that rate, it would take approximately 25 years to ever get to the \$70 billion mark, and it would take 160 years to pay down the debt that exists today.

These estimates are premised upon and evolved from 13 years of profoundly strong professional fiscal management of this country. I will vote for these estimates on the basis of the past 13 years of fiscal management because that is embodied in them, but I will not vote with any enthusiasm for the future of a debt repayment philosophy that is almost non-existent in what the government is talking about today.

If I were concerned about what is not in this book, that would be one thing, but I am also greatly concerned about the context within which that budget has been developed for the future. The origins of the Finance Minister and the Treasury Board Minister are the Harris government, a government that, among other things, could not be criticized for its fiscal prudence. I also look at the people who must have had a great deal of impact on the development of that budget, many of whom came from the Mulroney era, and are still influential advisers in the Senate, in the other place and amongst non-parliamentarian advisers. These are the roots of this government's weak fiscal plan and weak commitment to fiscal responsibility. In these estimates, there is a profoundly strong and proven commitment to fiscal responsibility and to proper debt payment and repayment.

I am also concerned about the fact that I could support this book wholeheartedly because it is premised upon a daycare program that, unfortunately, will now be lost. The government will say that parents should have a choice. Our daycare program was about people who do not have a choice, single mothers and poor working families who have to work and do not have the resources for proper daycare.

As a result, we give choice to people who have the economic wherewithal under the government's plan to buy choice without the resurrection of the family allowance, but we will not capture the choice for those people who actually need these resources and this daycare plan outlined and premised upon a 2005 budget that is in these estimates.

I can vote for these estimates with great enthusiasm when it comes to a daycare program that was properly structured for people in this country who really need it, but I cannot vote for a daycare program, and I use that term loosely, that this program will become under the government's current budgetary estimates.

The Kelowna Accord was historic in its commitment to assisting Aboriginal peoples to realize their potential, their opportunities in this country and to become full, committed participants in the development of our country. I attended a meeting of Native leaders during the election, and it was powerfully moving to see what the Kelowna Accord meant to them. The Kelowna Accord is in these estimates, and means something in these estimates, but the accord is not in the estimates as they will become under this government's newly-formed budget.

These estimates are premised upon cutting taxes for lower-income Canadians, people who can use and need the money, where a marginal tax decrease will mean something. The new estimates and budget will give the bulk of cuts to people who already have money; it will reward people who have money and penalize people who do not have the resources that others do.

I can vote for these estimates out of nostalgia because they do something significant for education: \$6,000 a year for post-secondary education for students over a four-year period. Compare that to the one-time \$80 tax credit for books for students under the new plan.

I could go on at some length, honourable senators, because the differences between the promise that these estimates held and the lack of promise that the new budget holds for people in this country who need it and the lack of vision that the new budget embodies for this country's future is so profound, and there are so many places where those differences are absolutely glaring.

On the subject of agriculture, the amount of emergency funding that has been committed in the new budget is considerably less than the emergency funding committed in our 2006-07 estimates. Our tax cuts were premised upon productivity. I can embrace the sense of productivity that was going to be developed by these estimates. I do not see that focus on productivity in what these estimates will become.

I see debt forgiveness in these estimates of six Third World countries that desperately need the assistance of countries like ours that have the wherewithal to help them. I do not see that kind of commitment to Third World countries in what these estimates will become.

I see a \$60 million increase in funding to the Canadian Broadcasting Corporation, a corporation that tells stories of Canadians across this country and helps to bring this country together in a way that it needs to be. I do not see that commitment in what these estimates will become.

I see funding for the 2010 Olympic Games, a showcase of Vancouver, British Columbia and Canada to the world. I do not see that commitment in what these estimates will become.

I see a commitment of more funding to the Pacific Gateway, which has huge implications for the West and Alberta's north. I do not see that commitment in what these estimates will become.

Honourable senators, shortly after the election, a number of people in Alberta took great glee in pointing out how the Liberals had lost and how much better it might be. I said, "I am willing to listen to your case today. I simply want to reserve the right to tell you in two years, 'I told you so.'" In two years, I wager I will be able to stand in this Senate and say, "I told you so," about daycare, productivity, education, the environment, and a litany of items that will no longer be in these estimates because, although these estimates were based upon a forward-thinking 2005 budget by the former government, they will be gone in two or three months when we see the real budget that this government has brought down.

Some Hon. Senators: Hear, hear!

• (1520)

Hon. Joseph A. Day: Honourable senators, I feel I should have given the rest of my 45 minutes to my honourable colleague, Senator Mitchell. He was just winding up.

I wish to assure honourable senators that this debate will be continued. There is a tendency to discuss the new budget with respect to the supply bill. Honourable senators will recall from my intervention yesterday that this supply bill is not based on the new budget but I have learned that a ways and means motion has been filed. Notice was given yesterday, and filed in the other place,

which implements certain provisions of the budget. In due course, and in the not-too-distant future I suspect, we will receive the budget implementation bill based on that ways and means motion. We will have an opportunity to debate those issues at that time.

Honourable Senator Cools has clarified the procedure in the House of Commons. That is their procedure, honourable senators. We do not have any control over that, but as has been pointed out by Honourable Senator Murray, Senator Cools, and myself, there is such a short period of time given in the other place to dealing with such an important issue as government expenditure and the expenditure of \$43 billion that the process we have here is even more important.

We go through the process of reviewing the Main Estimates. We go through the process of dealing with first, second and third reading of the supply bill on different days in this chamber, and I believe that to be important.

Honourable senators, the Federal Accountability Act has a provision for creating a parliamentary budget officer. When that position is filled, I am hopeful that we will be able to draw on the services to the same extent or, because we do so much more work here, maybe to a greater extent than the other place. We look forward to the implementation of that office in due course.

Keeping in mind the extraordinary situation that has brought about the supply bill in this instance, of a change of government and an election that resulted over two fiscal time frames and therefore the extensive use of the Governor General Special Warrants, I submit that we should give support to the supply bill.

An Hon. Senator: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to, bill read third time and passed.

[Translation]

THE SENATE

MOTION TO PERMIT ELECTRONIC COVERAGE ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice given May 9, 2006, moved:

That television cameras be permitted in the Senate Chamber to record the Royal Assent Ceremony on Thursday, May 11, 2006, at 4:30 p.m., with the least possible disruption of the proceedings.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Fernand Robichaud: Honourable senators, I have a question for the Deputy Leader of the Government. Will it be the usual arrangement, as with the reading of the Speech from the Throne, with a camera on one side and perhaps another hidden elsewhere?

Senator Comeau: As far as I know, we will use the same arrangement as the last time. There will be a camera on one side for sure. We asked the technicians to place the camera in such a way that we do not have to move senators' seats. We also asked that there be as little disruption as possible, in other words, instructions will be given to ensure that everything is done very professionally.

Hon. Eymard G. Corbin: Honourable senators, I am concerned by this motion, concerned not in the sense of...

[English]

I am concerned but I am being aimed at. I have a memo here from an employee of the Senate, whom I do not have to name. That would not be proper. In any case, it is a courteous memo because it asks if I would object to having one of the cameras in question placed between Senator Bryden and me. As the ceremony is for Royal Assent, I certainly will not object because it is a simple matter.

However, if there were future occurrences where a request was made to have cameras in the Senate during the debate, I would rise, perhaps object, but certainly seek a better accommodation for the cameras. I do not think we should have them between senators or in our back. This place obviously was not designed for television when it was reconstructed back in the 1920s. We have to live with that to some extent.

However, it is incumbent on the administration of the Senate, the internal economy, and whoever their advisers are, to look into the future — not that I support the motion to have debates televised necessarily, but there will be additional occurrences of requests of this nature, and cameras do disturb senators.

I also suggest that the operators of these cameras wear proper dress in the Senate. We have had instances of people in here with jeans, open shirts and what have you. I used to work for the CBC and in the studio I was expected to wear a shirt, a tie and sometimes a vest when I was doing interviews. That high standard should be maintained in the highest chamber of the nation.

Hon. Elaine McCoy: I wish to heartily endorse the comments made by my colleague senator across the floor and urge upon the senators a full understanding of what they are attempting to accomplish by having any kind of televised proceedings in this chamber.

If they are trying to engage the Canadian public, then we need to understand the various ways that the Canadian public are in fact engaging in political conversations today. Few of them watch mass media presentations of performances put on by people who are not engaging, merely showing off. That is my warning.

I do not personally encourage even that wedge, notwithstanding that it is merely ceremonial to have the Governor General in our chamber giving Royal Assent. On the other hand, I do not understand why you would publicize that event. The event of her giving Royal Assent that is not the one that is important, I suggest. The important event is the debate, the deliberation and

the exploration of ideas that we are engaged in that we can flesh out and add some substance to what the policies and laws of this government and any other government in our tenure put forward for the well-being of our country.

Motion agreed to.

• (1530)

CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Lapointe, seconded by the Honourable Senator Chaput, for the second reading of Bill S-211, to amend the Criminal Code (lottery schemes).—(*Honourable Senator Comeau*).

Hon. J. Michael Forrestall: Honourable senators, it gives me a great deal of pleasure to rise and address Senator Lapointe's business, partly because he is someone whom I admire; someone whom I have watched and known for many years. He has entertained both my family and I, and perhaps I admit a little bias. He was one of the early and forceful supporters of a matter that I had before this chamber on five different occasions and, unless we get a bill very shortly, it will soon be six; that is, a bill for the preservation of lighthouses in our country.

I wish to commend the honourable senator for bringing the bill forward as I know that it has come from his heart. He is a man of great character. I am sorry he is not here with us this afternoon. I have the greatest of respect for him and what he has done in life. As a senator, he witnessed a problem in society, the problem of compulsive gambling, and has tried to come up with a legislative remedy. I respect that because I know what he is trying to do. I understand the problem; it is prevalent and well-known throughout our country.

While I commend the man and the spirit behind the bill, sadly, I have some concerns with respect to its scope. Honourable senators, in an effort to address the serious problems of compulsive gambling, the bill would narrow the provincial operation of "lottery schemes" from what is now permitted in section 207 of the Criminal Code of Canada by taking away existing permission for a provincial government lottery that is operated on a video lottery terminal, VLTs, or slot machine, unless that machine is located at a casino, race course or betting theatre.

This proposed amendment aims to prohibit the placement of provincial government VLTs, a form of slot machine, in bars. This is, in effect, an intrusion on provincial authority and this creates a major jurisdictional concern. It is my opinion that the decision on whether to place provincial or territorial VLTs in bars should remain a local decision. Pandora's boxes have already been opened. Different attitudes can and do prevail in different jurisdictions in our country. To date, Ontario, British Columbia, Yukon, the Northwest Territories and Nunavut have chosen not to place any video lottery terminals in bars or other non-casino,

non-race course or non-betting theatre premises. The other eight provinces do place VLTs in bars. Among the provinces that have video lottery terminals in bars is Quebec, which has the highest number of video lottery terminals in the country. Some provinces, including Quebec, have lowered or limited the number of VLTs that can be placed in bars. Alberta, Manitoba and New Brunswick have held provincial or municipal referenda relating to the placement of provincial video lottery terminals in bars or other non-gambling premises. In some municipalities, the provinces removed VLTs from their bars.

Lastly, honourable senators, provinces and territories have the responsibility for the prevention and treatment of problem gambling, and they have taken some measures to address this problem. Bill S-211 will also be expected to have a negative impact upon federal-provincial-territorial relations, even though, as worded, the bill would permit a province to move the machines out of a bar and across the street or mall to a "small scale" casino. That would ensure that every chair would be affiliated with a separate machine and where alcohol would be available.

Proponents of the bill also seem to assume that provinces would move machines to large casinos, race courses or betting theatres. This might not be the case. Honourable senators, while I respect the bill, where it comes from, and the sincerity with which it is put forward, noting on more than one occasion the enthusiasm Senator Lapointe has for this matter and for what he has attempted to do, I have continuing real concerns with this bill in that it intrudes into provincial jurisdiction. While my mind is open, I find it difficult to support Senator Lapointe's position.

The Hon. the Speaker: I wish to inform the Senate that if the Honourable Senator Lapointe speaks now, his speech will have the effect of closing debate on the motion for second reading.

[*Translation*]

Hon. Jean Lapointe: Honourable senators, I was touched by the speech by Senator Forrestall for whom I have a great deal of admiration.

I was in my office at the beginning of his speech. I was talking to a man from Montreal who has lost everything: his son, his family and he had even attempted suicide. You will understand that I am emotional. I am having a hard time containing myself.

One cursed issue keeps coming back: federal-provincial relations. I have had it up to here with federal-provincial relations. For once the federal government should pull up its socks and attack this head on. Let us pass this legislation and everyone will admire the Senate and the other place for passing the amendment to this legislation.

• (1540)

Studies have shown that this costs two to five times more. How much do you think the man on the brink of suicide will pay? I gave him a suggestion as to where to go.

I could not care less whether the bill is passed or not. As a recovering alcoholic all I want is to alleviate the suffering of people in my country, people addicted to these machines that are like crack.

Honourable senators, the only thing that matters to me is that Bill S-211 be referred to the House of Commons.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and bill read second time, on division.

REFERRED TO COMMITTEE

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

On motion of Senator Comeau, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.

[English]

DRINKING WATER SOURCES BILL

SECOND READING—DEBATE ADJOURNED

Hon. Jeremiah S. Grafstein moved second reading of Bill S-208, to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future.—(*Honourable Senator Grafstein*).

He said: Honourable senators, Canada is blessed. We are sovereign over 7 per cent of the world's land mass. Canada is blessed. Within our borders is 9 per cent of the world's renewable fresh water.

Canada's population is less than half of 1 per cent, so we have the greatest per capita allocation of fresh water in the world. This abundance of freshwater has become both a blessing and a curse. The blessings are clear. Water is an essential part of our life on this planet. The curse is growing due to overabundance. Have we become too complacent? Do we take this valuable resource for granted? Why is there not a powerful, vocal national lobby to preserve this precious national asset?

With rising economic, industrial and agricultural growth and increased housing, added to the utilization of our water resources for recreation, all experts — and I repeat, honourable senators, all experts — warn that it is time for Canada to take a fuller account of what is becoming a diminishing resource.

The Great Lakes, the single largest source of freshwater in the world, contains about 18 per cent of the world's total. One per cent of the volume flow is not currently renewable. Again, we can no longer take for granted the sustainability of Great Lakes water for each and every citizen in the Great Lakes Basin.

Economic measurements should start to come into play. How should groundwater aquifers or watersheds, which are the paramount source of our freshwater, be shared? For example, how do we develop sharing models of allocation between farmers and settlers, between industry and recreation, as water abundance deteriorates? Clearly, Canada needs a watershed inventory.

Simply designed, Bill S-208 would cause the Minister of the Environment, in conjunction with his provincial counterparts, to map out the groundwater aquifers or watersheds across our country. Why? We now know that our freshwater supply is no longer infinite or even sustainable with the present levels of growth and pollution. Water has become a deteriorating resource. This deterioration is the paramount purpose of this bill.

Bill S-208 offers a cost-effective, co-operative way to map, measure and thereby create a national inventory of our most precious resource: water. Once completed, this inventory, open and transparent, would ensure that the water resource is developed in a fair, equitable and careful way to be shared among all sectors of our society.

If we do not manage this resource and take steps now to enhance its sustainability, we consciously compromise the future for all Canadians. I urge the adoption of this bill before Canada's freshwater resources are diminished beyond renovation and beyond sustainability. Will Canada's water supply run dry? Not if we carefully, transparently and fairly assure that we protect freshwater sustainability for our future generations.

I urge a speedy adoption of Bill S-208 so that it might be referred to the Standing Senate Committee on Energy, the Environment and Natural Resources for fulsome study. This committee has already done excellent preparatory work on this very subject. Indeed, this bill was inspired in part by that committee's work. Let this Senate committee, under its excellent leadership, commence this work without delay.

The Privy Council Office is studying these and other water questions affecting national policy as we speak. Now is the time for the Senate to move on this issue.

Every Canadian, in every region in Canada, relies on sustainable watersheds. We must ensure that they are sustainable before it is too late.

I am indebted, honourable senators, to a number of experts who also inspired me, particularly Ralph Pentland, but this bill is the result of my own judgment and my own analysis, based on deep and profound advice from the experts, which has been too frequently neglected.

Honourable senators, I urge the adoption of this bill on second reading.

Hon. John G. Bryden: Honourable senators, some parts of the country are in a great deal more danger of losing their water supply than others. In particular, I am thinking of the province of Alberta. The Province of Alberta, I read the other day, is thinking of charging for the use of water by industries, particularly since the relatively recent use of water by injecting it into oil wells that were deemed to be no longer profitable, to try to retrieve the oil by flushing it up to the surface.

• (1550)

Also, demands are beginning to come from the U.S. to open more of the runoff of freshwater from B.C. and Alberta, and I believe from some of the other Prairie provinces as well, into the northern states of the U.S. Would the honourable senator like to comment on that?

I have been led to believe that it will cost more for the water used to flush oil out of the earth than the oil is worth.

Senator Grafstein: I could not agree more with the honourable senator on each and every aspect of his comments.

There are two separate issues, honourable senators. First, let us find out what our inventory is. Second, we must alert Canadians that this is a diminishing resource rather than a sustainable resource. Our choices will then be to change our consumption, to stop pollution or to deal with it. However, the first question dealt with in this bill is determining what we have and what we are losing.

The second question is, once we determine what the asset is, how should it be shared? For instance, is it useful to spend that precious resource to retrieve oil that is not commercially viable, or should we use that water for renewable resources?

I just returned from a meeting where we talked about renewable resources. We discovered that water is an important asset for turning corn, grass and sugar beets into ethanol. If we want North America to be independent and sovereign in the field of energy, we will have to study this question. Water is an important element in even that decision.

Water is the basis of all these important decisions on agriculture, industry and recreation. The first questions are with regard to how much we have and how we preserve what we have. Once we decide that, we have to deal with the question of allocation, which will be tough.

Senator Bryden: Does Senator Grafstein anticipate that the committee would deal with the implications of the free trade agreement in relation to our ability to manage and conserve our own water? I know that there are provisions in the free trade agreement controlling the allocation of limited resources such as oil and natural gas. We can limit it, but we cannot limit it any more to our own country than we can to the U.S.

Will the committee examine the free trade agreement in relation to whether free trade applies in the case of bulk water?

Senator Grafstein: I hope that the committee will look into that, honourable senators. However, I will spell out the problem, which is quite intense.

The Great Lakes are one of the greatest freshwater sources in the world and they are shared by Canada and the United States. They are subject to a number of treaties, agreements and bilateral commissions that I will not go into, but we did discuss the issue in some of detail at the Canada-U.S. meeting.

Having said that, there is a problem. Lake Michigan is not within the purview of the Great Lakes as it applies to water because that lake is entirely surrounded by the United States.

This is a complex question. However, for the last five or six years we at the Canada-U.S. committee have been lobbying to have the Americans look at this question. At our last meeting they were alert and alive to this question. They share our concerns with regard to how to preserve the Great Lakes as a freshwater resource for both sides and how to share that resource fairly.

The President of the United States, who many in this chamber criticize, has recently initialled a bill to allocate \$20 billion to resuscitate, sustain and restore the Great Lakes. We have not come up with even 5 per cent of that.

Water is a big problem in the United States. We have to determine where we stand on our side before we can start negotiating, bargaining or dealing with all the various and intricate agreements and treaties that we have with the United States. Facts come before policy, honourable senators.

Hon. Willie Adams: Honourable senators, I am reminded of what happened at Walkerton where some people died due to bad water. Some Indian reserves in the North have problems with water. We have had witnesses before a Senate committee from the Department of Indian and Northern Affairs who said that they were responsible for water on Indian reserves and that they would look into the problem.

Can Senator Grafstein tell us what has happened since that time? How does the Food and Drugs Act impact on the responsibility of the Department of Indian and Northern Affairs for water on reserves. Will this bill help the people in the community?

Senator Grafstein: Honourable senators, I have two bills on the Order Paper that I hope the Senate will see fit to send to committee. The first bill deals with the downstream issue of ensuring that any water that comes out of a community drinking system, including those of Aboriginal communities, is pure and potable. That bill stands in the name of Senator Angus, I believe.

This bill deals with the upstream issue of how to ensure that sustainable water flows into community drinking water systems. This bill will obviously affect Aboriginal communities, subject to jurisdictional issues. It will not affect them in any detrimental way. The bill proposes to take an inventory of what is available and what is not available for drinking water in the northern communities.

As honourable senators know, I have been on this case for half a decade. The situation is not getting any better in the North; it is getting worse. I have always said that one problem we have in this country is that we do not connect the two points. We talk about policy but not the consequences. The consequences are that when we have bad drinking water our health budget increases, and we never keep track of the cost. Dr. David Schindler and I worked out an anecdotal model that showed that many billions of dollars are spent in health systems every year due to bad drinking water.

The most acute places in Canada are the First Nations communities. A woman in a First Nation community who wants to have a child must leave her community for two or three years to cleanse her womb to ensure that the fetus will not be deformed due to bad drinking water. That is a shame and a scandal.

I hope that the Senate will finally treat this as an emergency issue. Every day that goes by the situation gets worse. Children are being deformed, people are getting sick, costs are going up and we are sitting here doing nothing about it. I hope that this matter will be handled with some urgency, that we will move it to committee, study it and send it to the other place.

Senator Adams: The Kelowna Accord was signed last fall. There is now a new government and it has brought down a new budget. The former Liberal government reached an agreement with the premiers across Canada to spend up to \$500 million upgrading water systems in Native communities on reserves.

• (1600)

Could a bill be passed that would enable this government to fulfill that commitment, or do we have to wait for the next budget?

Senator Grafstein: Honourable senators, that is for the Senate and, ultimately, the other House to decide.

On motion of Senator Comeau, debate adjourned.

[Translation]

BUSINESS OF THE SENATE

Hon. Fernand Robichaud: Honourable senators, I know that we have to deal with the question of privilege for which we received

notice, but we must also respect the adjournment motion whereby at four o'clock on Wednesdays, the Speaker leaves the chair.

Are we going to resume debate on Senator Ringuette's question of privilege today? If so, this will delay adjournment, or are we going to adjourn at four o'clock pursuant to the *Rules of the Senate*?

[English]

The Hon. the Speaker: Honourable senators, I wish to thank the Honourable Senator Robichaud for raising this matter as it allows me to explain how things will unfold.

Senator Ringuette provided written notice of her question of privilege. Prior to Senators' Statements she gave oral notice of her question of privilege. Thus the notice is before us.

Most days of the week, other than Friday, after Orders of the Day and no later than 8 p.m., we must hear the substance of questions of privilege.

As a result of a house order, in a minute and a half I must adjourn today's sitting. That means tomorrow, after Orders of the Day have been dealt with, we will go to the substance of Senator Ringuette's question of privilege. It will be no later than 8 p.m. tomorrow, which is Thursday. The rules provide that 12 noon on Fridays is the latest time for a question of privilege raised on Thursday to be dealt with.

The Senate adjourned until Thursday, May 11, 2006 at 1:30 p.m.

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CANADA



Debates of the Senate

1st SESSION

•

39th PARLIAMENT

•

VOLUME 143

•

NUMBER 13

OFFICIAL REPORT
(HANSARD)

Thursday, May 11, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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(Daily index of proceedings appears at back of this issue).

OFFICIAL REPORT

CORRECTION

Hon. Marjory LeBreton (Leader of the Government):
Honourable senators, I rise to request a correction to the record of May 3. On page 189 of the *Debates of the Senate*, in answer to a question about the softwood lumber deal, I stated:

As honourable senators know, the Atlantic provinces were exempted for the first time.

I misspoke and the words "for the first time" were incorrect. The record should read:

As honourable senators know, the Atlantic provinces were exempted.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

THE SENATE

Thursday, May 11, 2006

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

[Translation]

ROYAL ASSENT

NOTICE

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

May 11, 2006

Mr. Speaker,

I have the honour to inform you that the Right Honourable Michaëlle Jean, Governor General of Canada, will proceed to the Senate Chamber today, the 11th day of May, 2006, at 4:30 p.m., for the purpose of giving Royal Assent to certain bills of law.

Yours sincerely,

Curtis Barlow
Deputy Secretary, Policy, Program and Protocol

The Honourable
The Speaker of the Senate
Ottawa

• (1340)

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, whilst I am on my feet, I wish to draw the attention of honourable senators to the presence in the gallery of His Excellency the former President of Tanzania and also former High Commissioner to Canada, Mr. Benjamin Mkapa, accompanied by Mr. Ombeni Sefue, Tanzanian High Commissioner to Canada. They are guests of the Honourable Senator Di Nino.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear.

SENATORS' STATEMENTS

INDIAN RESIDENTIAL SCHOOLS SETTLEMENT AGREEMENT

Hon. Nick G. Sibbeston: Honourable senators, good news has arrived in the announcement of Minister Jim Prentice in the House of Commons yesterday. He stated that a final Indian residential school settlement agreement has been approved by all the parties.

Some Hon. Senators: Hear, hear.

Senator Sibbeston: Minister Prentice is referring to the churches, the legal representatives of former students, the Assembly of First Nations, other Aboriginal organizations and, of course, the federal government.

I commend the Conservative government and Mr. Prentice, in particular, for bringing this agreement to its final conclusion. I know that Grand Chief Phil Fontaine has made it his goal and objective to initiate the process and to work with the two governments to reach a final agreement. Former Justice Iacobucci has also had an important hand in initially studying the issue, then bringing all parties together to work toward a final solution.

There is still one step to go. The court jurisdictions throughout our country must give final approval, but I believe that is a formality.

The government has announced that elders can also apply immediately for initial payments of \$8,000. The website has a simple three-page application form that elderly people can fill out. My office is helping people in this process.

Some of my colleagues may still wonder: What is this all about; why is there a \$2.1 billion settlement; and why is there a need for the federal government to deal with the issue of Indian residential schools in our country.

The Catholic and Anglican Churches were the first to provide residential schools as early as the 1820s. The first government involvement in residential schools was in 1884. There were 130 residential schools in every province and territory except Newfoundland, New Brunswick and Prince Edward Island.

Most of these residential schools closed in the mid-1970s and the last one was in 1996. Tens of thousands of Aboriginal people have gone through these residential schools. Today, it is estimated that there are 80,000 former students still alive and the average age is 60.

In the Northwest Territories, where I come from, the residential school that I went to, the Sacred Heart School, was started by the oblates and the Grey Nuns in 1858. We have had residential schools in our part of the country for about 150 years.

In 1949, when I was six years old, my mother sent me to residential school. I stayed there for six years. I have cousins and friends who were there for 10 years without going home. This was very traumatic and difficult.

Hon. Gerry St. Germain: Honourable senators, I too wish to compliment the government and Minister Prentice for the excellent work that has been done in dealing with this file. However, we would be remiss if we did not pay tribute to the former administration, the Liberal government, who did a tremendous amount of work on this particular file.

Some Hon. Senators: Hear, hear.

Senator St. Germain: I rise today not only to thank the government and the administrations that have dealt with this file, but also to pay tribute to Senator Sibbeston, who spent a significant number of his younger years in one of these facilities. He paid the price. He shared those experiences with me in a confidential way and I can see the price he has paid.

• (1345)

I think we owe Senator Sibbeston and others a thank you for the patience they have shown the Canadian government and the Canadian people while waiting for this day.

We thank you. We pay tribute to you and all the others, Senator Sibbeston. Hopefully, we will never have to witness anything like this again in our lifetime.

Hon. Senators: Hear, hear!

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

FORTY-SEVENTH ANNUAL MEETING

Hon. Jerahmiel S. Grafstein: Honourable senators, I want to draw the attention of the Senate to a very productive meeting that senators attended on the forty-seventh annual meeting of the Canada-United States Inter-Parliamentary Group, held May 5 to 8 in Charleston, South Carolina. I was the co-chair of the meeting and seven senators from this chamber were also in attendance. I want to thank the interim co-chair, Jason Kenney, M.P. who did a superb job as the acting co-chair.

In my view, honourable senators, this was one of the most productive meetings we have ever had. I want to thank, on the record, our American hosts, co-chairs Senator Mike Crapo and Representative Don Manzullo and, specifically, Representative Henry Brown from the congressional district in which Charleston is located. We had a fascinating and productive meeting, and the hospitality was outstanding.

Our group agreed to press for an active agenda on over 18 substantive resolutions. The delegates agreed to the Western Hemisphere Travel Initiative and to developing a comprehensive approach to a North American energy strategy and developing an energy plan. Our goal is that within a decade, under the North American Free Trade Agreement, the partners will be self-sufficient in renewable and non-renewable energy.

Third, the delegates agreed to develop a long-term settlement dispute mechanism applicable to softwood lumber, and fourth, to develop additional bilateral and multilateral free trade agreements on a joint basis. Fifth, the delegates agreed to undertake with the Mexican government a comprehensive study of pharmaceutical drug research, pricing, margins, marketing, et cetera. Sixth, the group agreed to preserve and augment the manufacturing on both sides of the border, with a special bilateral study on productivity in the automotive industry. Seventh, we agreed to take a look at the proposed impact of export controls — and this is an important one for us — on high-tech products to Canada and the United States, and I will be pursuing that with our representative, Ambassador Wilson, in Washington.

We agreed in number eight to develop a comprehensive strategy with respect to the threat of avian influenza, and in number nine to work on a comprehensive environmental strategy encompassing the border, and especially the Great Lakes, the St. Lawrence Seaway and Devils Lake. Finally, but not in conclusion we agreed to get both governments to work on a comprehensive strategy designed to address the growing problem of methamphetamines, which are used in communities of both nations and are a serious new drug problem.

I also want to take this opportunity to congratulate our colleague, Senator Angus, who acted as co-chair of one of the most contentious committees. He did a superb job in bringing both sides together. I want to commend him, and thank all honourable senators for participating in this most productive and important work.

These resolutions are merely resolutions unless the Senate and our colleagues in the United States implement them — which they have undertaken to do in both houses. These are far-reaching resolutions that impact us all. I hope this Senate and this chamber will take the leadership in that role.

Hon. W. David Angus: Honourable senators, as you have heard, I, too, would like to say a few words about the forty-seventh annual meeting of the Canada-United States Inter-Parliamentary Group, which met in Charleston last weekend.

• (1350)

I had the privilege of co-chairing Group C with Republican Congressman Mark Souder of Indiana. The group was loosely entitled, Bilateral Co-operation on Transborder, Environmental and Other Issues. It included safeguarding our shared natural resources and improving our air and water quality; making our streets safe, cross-border small arms smuggling and crystal meth; securing hemispheric energy resources and production, oil, gas, electricity and uranium supply, demand and infrastructure; and ensuring an adequate, secure border, which was a euphemism for the Western Hemisphere Travel Initiative.

The WHTI consumed the vast part of the Group C meeting of four and one-half hours and stimulated highly animated and controversial discussion. The legislation, as honourable senators know, has passed the U. S. Congress and is now approaching the prescribed implementation date of December 31, 2006. We heard from experts from the Department of State and the Department of Homeland Security about the process for implementation. All delegates of all parties including the Canadian representatives, except for some senior Republicans, expressed great concern

about the potential for economic and tourism dislocation on both sides of the border. It could amount to billions of dollars per year on both sides of the border if the implementation were to take place as scheduled without key changes.

Some delegates referred to the implementation of this legislation as a slow train wreck waiting to happen. The Canadian Ambassador to the United States has stated publicly that when he raised the issue at the White House, he was told that it was not up for discussion. The problem was that the leading Republicans present, although they shared these concerns, were unable to use words such as "delay the implementation" and "amend the document." Our challenge was to find a compromise and to bring some public focus in a constructive way to the implementation process.

The following resolution was unanimously agreed upon, having been arrived at in our committee at the last moment after four hours of discussion. It states:

Delegates recognize that the Western Hemisphere Travel Initiative (WHTI) is a matter of considerable debate on both sides of the U.S.-Canadian border for various reasons, including its potential for substantial negative economic impact. Delegates also recognize, however, that the Initiative continues to move forward toward implementation. During animated discussions, delegates also recognized that the final details about how this border security measure would be implemented are still being considered by the U.S. Departments of State and Homeland Security. It is the consensus of delegates that the process of implementation of the WHTI warrants closer examination by both nations to ensure that it is effective, efficient and user-friendly before it is implemented.

Honourable senators, I heartily endorse it.

PRINCE EDWARD ISLAND

CANCELLATION OF PARTNERSHIP FUND— EFFECT ON POWER SUPPLY PROJECT

Hon. Catherine S. Callbeck: Honourable senators, my home province of Prince Edward Island has tremendous potential for wind-generated electricity, and we are currently in the process of developing this wind power potential. Indeed, we have one of the best wind resources in the country, so much so that in the periods of low Island consumption, we could export our extra wind power. Given that Prince Edward Island currently imports about 90 per cent of its electricity from New Brunswick, wind power has the ability to decrease greatly the province's reliance on imported electricity.

On November 18, 2005, the Governments of Canada and Prince Edward Island jointly announced a collaborative project to upgrade the electricity transmission system between Prince Edward Island and New Brunswick, which would add a new power cable between the two provinces. The cable would be placed inside the Confederation Bridge in a utility corridor specifically designed and built for this purpose.

The new cable would allow our province considerable flexibility. Not only would we be capable of exporting our extra wind power but also we would be able to import energy. In addition, a new cable would provide security of electrical supply in the event that the two existing submarine cables fail.

• (1355)

This project was to be the first in our province under the national Partnership Fund, a major initiative of Canada's Climate Change Plan, announced as part of the 2005 budget. The project, which would help Prince Edward Island maximize its renewable energy resources, was expected to cost approximately \$60 million overall. The federal government's share of the funding was estimated to be \$30 million.

Now the Conservative government has cancelled the Partnership Fund, which means that my province will not receive the \$30 million from this fund for the new power cable announced last fall.

This cable is a much needed investment for P.E.I. and will provide enormous benefits for Islanders now and in the future. I call on the federal Conservative government to do the right thing and honour last November's announcement of \$30 million towards this worthwhile project.

ROUTINE PROCEEDINGS

NATIONAL AWARENESS DAY PROCLAMATION FOR FIBROMYALGIA AND CHRONIC FATIGUE SYNDROME/ MYALGIC ENCEPHALOMYELITIS

TABLED

Hon. Wilbert J. Keon: Honourable senators, pursuant to rule 28(4) and with leave of the Senate I would like to table a document entitled, *National Awareness Day Proclamation for Fibromyalgia and Chronic Fatigue Syndrome/Myalgic Encephalomyelitis*.

The Hon. the Speaker: Is it agreed?

Hon. Senators: Agreed.

SCRUTINY OF REGULATIONS

FIRST REPORT OF JOINT COMMITTEE PRESENTED

Hon. J. Trevor Eyton: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to present the first report of the Standing Joint Committee for the Scrutiny of Regulations. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament and contains an order of reference.

Thursday, May 11, 2006

The Standing Joint Committee for the Scrutiny of Regulations has the honour to present its

FIRST REPORT

Your Committee reports that in relation to its permanent reference, section 19 of the Statutory Instruments Act, R.S.C. 1985, c. S-22, the Committee was previously empowered "to study the means by which Parliament can better oversee the government regulatory process and in particular to enquire into and report upon:

1. the appropriate principles and practices to be observed
 - (a) in the drafting of powers enabling delegates of Parliament to make subordinate laws;
 - (b) in the enactment of statutory instruments;
 - (c) in the use of executive regulation — including delegated powers and subordinate laws;
 and the manner in which Parliamentary control should be effected in respect of the same;
2. the role, functions and powers of the Standing Joint Committee for the Scrutiny of Regulations."

Your Committee recommends that the same order of reference together with the evidence adduced thereon during previous sessions be again referred to it.

Your Committee informs both Houses of Parliament that the criteria it will use for the review and scrutiny of statutory instruments are the following:

Whether any Regulation or other statutory instrument within its terms of reference, in the judgement of the Committee:

1. is not authorized by the terms of the enabling legislation or has not complied with any condition set forth in the legislation;
2. is not in conformity with the Canadian Charter of Rights and Freedoms or the Canadian Bill of Rights;
3. purports to have retroactive effect without express authority having been provided for in the enabling legislation;
4. imposes a charge on the public revenues or requires payment to be made to the Crown or to any other authority, or prescribes the amount of any such charge or payment, without express authority having been provided for in the enabling legislation;
5. imposes a fine, imprisonment or other penalty without express authority having been provided for in the enabling legislation;
6. tends directly or indirectly to exclude the jurisdiction of the courts without express authority having been provided for in the enabling legislation;

7. has not complied with the *Statutory Instruments Act* with respect to transmission, registration or publication;
8. appears for any reason to infringe the rule of law;
9. trespasses unduly on rights and liberties;
10. makes the rights and liberties of the person unduly dependent on administrative discretion or is not consistent with the rules of natural justice;
11. makes some unusual or unexpected use of the powers conferred by the enabling legislation;
12. amounts to the exercise of a substantive legislative power properly the subject of direct parliamentary enactment;
13. is defective in its drafting or for any other reason requires elucidation as to its form or purport.

Your Committee recommends that its quorum be fixed at 4 members, provided that both Houses are represented whenever a vote, resolution or other decision is taken, and that the Joint Chairmen be authorized to hold meetings to receive evidence and authorize the printing thereof so long as 3 members are present, provided that both Houses are represented; and, that the Committee have power to engage the services of such expert staff, and such stenographic and clerical staff as may be required.

Your Committee further recommends to the Senate that it be empowered to sit during sittings and adjournments of the Senate.

Your Committee, which was also authorized by the Senate to incur expenses in connection with its permanent reference relating to the review and scrutiny of statutory instruments, reports, pursuant to Rule 104 of the *Rules of the Senate*, that the expenses of the Committee (Senate portion) during the First Session of the Thirty-eighth Parliament were as follows:

Professional and Other Services	\$ 576.60
Transport and Communications	\$ 0.00
All Other Expenses	\$ 1,253.56
Total	\$ 1,830.16

A copy of the relevant Minutes of Proceedings and Evidence (Issue No. 1, First Session, Thirty-ninth Parliament) is tabled in the House of Commons.

Respectfully submitted,

JOHN TREVOR EYTON
Joint Chair

The Hon. the Speaker: When shall this report be taken into consideration?

On motion of Senator Eyton, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

[Translation]

BUSINESS OF THE SENATE

NOTICE OF MOTION TO AUTHORIZE COMMITTEES SCHEDULED TO MEET ON MONDAYS TO CONVENE DURING SENATE ADJOURNMENTS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I shall move:

That pursuant to rule 95(3), for the remainder of this session, the Standing Senate Committees on Human Rights, Official Languages, and National Security and Defence be authorized to meet at their approved meeting times as determined by the Government and Opposition Whips on any Monday which immediately precedes a Tuesday when the Senate is scheduled to sit, even though the Senate may then be adjourned for a period exceeding a week.

• (1400)

CANADA-CHINA LEGISLATIVE ASSOCIATION

ANNUAL MEETING OF CO-CHAIRS, MARCH 22 TO APRIL 1, 2006—REPORT TABLED

Hon. Joseph A. Day: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation respecting the annual visit by the co-chairs of the Canada-China Legislative Association to the People's Republic of China, held in Beijing, Guangzhou, Hainan Island and Hong Kong, from March 22 to April 1, 2006.

[English]

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

NATIONAL GOVERNORS ASSOCIATION— HEALTHY AMERICA FORUM AND WINTER MEETING, FEBRUARY 25-28, 2006—REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, pursuant to rule 23(6), I have the honour to table in the Senate, in both official languages, the report of the Canadian Parliamentary Delegation of the Canada-U.S. Interparliamentary Group respecting its participation in the National Governors Association Healthy America Forum and Winter Meeting in Washington, D.C. from February 25 to 28, 2006.

[Translation]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

BILL S-211—NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO RECEIVE PAPERS AND EVIDENCE ON BILL S-11 OF THIRTY-EIGHTH PARLIAMENT

Hon. Jean Lapointe: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the papers and evidence received and taken on Bill S-11, An Act to amend the Criminal Code (lottery schemes), by the Standing Senate Committee on Legal and Constitutional Affairs during the First Session of the Thirty-eighth Parliament be referred to the Standing Senate Committee on Social Affairs, Science and Technology for its study on Bill S-211, An Act to amend the Criminal Code (lottery schemes).

[English]

THE SENATE

NOTICE OF MOTION TO IMPORE PRESIDENT OF RUSSIA TO ASSIST IN LOCATING RAOUL WALLENBERG

Hon. Consiglio Di Nino: Honourable senators, I give notice that at the next sitting of the Senate I will move:

That the Senate of Canada implore President Vladimir Putin, President of Russia, to use his good offices to shed light on the whereabouts of Raoul Wallenberg, the Swedish diplomat who was responsible for saving the lives of thousands of people from Nazi death camps. He was allegedly seized by the Soviet Union army on June 17, 1945, and has not been seen or heard from since.

FISHERIES AND OCEANS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO CONTINUE STUDY ON ISSUES RELATING TO NEW AND EVOLVING POLICY FRAMEWORK

Hon. Bill Rompkey: Honourable senators, I give notice that at the next sitting of the Senate, I shall move:

That the Standing Senate Committee on Fisheries and Oceans be authorized to examine and report on issues relating to the federal government's new and evolving policy framework for managing Canada's fisheries and oceans;

That the papers and evidence received and taken and the work accomplished by the Committee on the subject during the First Session of the Thirty-Eighth Parliament be referred to the Committee; and

That the Committee submit its final report to the Senate no later than Friday, June 29, 2007.

QUESTION PERIOD

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

AGREEMENT OF FIRST MINISTERS MEETING ON ABORIGINAL ISSUES

Hon. Jack Austin: Honourable senators, my question is directed to the Leader of the Government in the Senate. I will begin by expressing my own appreciation for the finalization of the Indian

residential schools compensation question. As Senator St. Germain has said, this has been a work in progress for several years.

• (1405)

It has been difficult, and I do extend my appreciation to the government for concluding the matter and putting an important chapter of Canada's history with the Aboriginal community behind us.

I wonder whether that step would lead me to some optimism with respect to the Kelowna accord. In the reply to the Speech from the Throne, I asked the government to become a good second-look government. I hope the government will take a second look at its position with respect to the Kelowna accord.

I wish to inform this house that Premier Gordon Campbell of British Columbia has, in the British Columbia legislature, taken a strong position in defence of the Kelowna accord, which he described as "an extraordinary national commitment" by Ottawa and the provinces to improve the lives of Aboriginal Canadians. In addressing the legislature last week, he also described the Kelowna accord as "a compact to restore trust that must be honoured by the Crown." All sides of the B.C. legislature rose to applaud Premier Campbell for his address and his refusal to let the Kelowna accord die.

On May 9, 2006, the Assembly of First Nations called for a continuation of the Kelowna process and asked Prime Minister Harper to meet with them to resolve the impasse over the Kelowna accord. I wish to ask the leader if this request has been considered and whether Prime Minister Harper is prepared to meet the Assembly of First Nations with respect to the Kelowna accord.

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for his question. I, too, am very pleased that the residential school issue has finally been resolved, and I congratulate those who were involved in the process.

With regard to the Kelowna accord, I am well aware of the unanimous motion from the legislature in British Columbia. As the honourable senator would know, our then critic on Indian and Northern Affairs, now Minister Jim Prentice, attended the meetings in Kelowna, and he met with all of the leaders, including many new, young leaders who are coming forward in the Aboriginal community.

We took specific budgetary measures in the announcement of the budget to begin addressing some of the very serious concerns. As honourable senators will also know, Minister Prentice has been supportive of the objectives of the Kelowna accord, although no monies were made available in the fiscal framework.

Minister Prentice and the Prime Minister are working on these issues. These are serious issues, and we are treating them seriously, but I cannot state definitively when they will meet with the leaders of the Aboriginal community. I will certainly endeavour to find out if such a meeting is in the works and report to Senator Austin.

Senator Austin: Honourable senators, I am concerned as to whether the government is treating the issue of the Kelowna accord seriously, as the minister has said. For example, last Monday, the Honourable Jim Prentice, Minister of Indian Affairs, described the Kelowna accord as just an "empty promise" of the former Liberal government. The Friday previous, Jason Kenney, the Prime Minister's Parliamentary Secretary called Kelowna, "an eleventh-hour pre-election press release."

The Honourable Monte Solberg, now the Immigration Minister, during the 2006 election, called the Kelowna accord, "a deal scratched out on the back of a napkin."

• (1410)

The fact is, honourable senators, that the Kelowna accord was the result of two years of negotiations among the parties, and the most significant building of trust between the Aboriginal and non-Aboriginal communities in the history of Canada.

I hope that the minister will also take into account that this government did not mention Aboriginal issues in its Speech from the Throne. This government did not mention Aboriginal issues in the budget address or in the budget papers. This government has not continued the Cabinet Committee on Aboriginal Affairs from the previous government, which gave specific focus to resolving Aboriginal issues.

I put that on the record, honourable senators, because it does raise a concern that this government will not seize the opportunity to bring about the partnership between the Government of Canada, the provinces and the Aboriginal peoples created by the Kelowna accord.

I ask the minister to provide this chamber with an outline by way of a delayed answer of the positive steps that the government is taking to address the social and economic issues of the Aboriginal community.

Senator LeBreton: I thank the honourable senator for his question. I will certainly, as he suggests, provide all of that information in a delayed answer.

The honourable senator referred to the comments of Minister Prentice and Parliamentary Secretary Jason Kenney. I think I responded to that question in my first answer to him. It does not take away from Minister Prentice's overall support for the intent and the goals of the Kelowna accord. However, the fact is, and it does not change, that there were statements made without any inclusion in the fiscal framework. I did mention to honourable senators the measures that were taken, and I keep repeating that it is our first budget in our first session of Parliament. We have been here a little over three months.

Honourable senators will note that there have been quite a number of Aboriginal leaders, an example being Patrick Brazeau, the National Chief of the Congress of Aboriginal Peoples, who indicated: "We're very pleased with the budget."

The President of ITK, Canada's national Inuit organization, has expressed support for the funding set aside for Aboriginal housing. He said, "This is the most we have gotten from the federal budget." Mr. Kusugak stated that he is reassured by the government's commitment to meet the targets agreed upon in the Kelowna accord.

Grand Council Chief Beaucage of the Anishinabek Nation said that he is excited to see our government's commitment to compensate the residential school survivors.

I am aware of several meetings Minister Jim Prentice has had thus far with many people in the Aboriginal community. He is working very hard, and I will be very happy to speak to him and ask him to prepare a summary of his negotiations and work thus far in this area.

Senator Austin: The minister refers to the fact that the funds set out in the Kelowna accord are not in the fiscal framework, but I would like to remind her and this chamber that the agreement for the Kelowna accord took place three days before the defeat of the Martin government. It was the intention of the Martin government, as the then-Minister of Finance, Mr. Goodale, said, to provide for the federal government's role in the program. The fact that it was not of importance to the Conservative Party, the New Democratic Party or the Bloc Québécois is another story.

• (1415)

Will the minister encourage the Chair of the Standing Senate Committee on Aboriginal Peoples and the members of her party opposite to invite the national chief, Phil Fontaine, and the regional chiefs of the Assembly of First Nations to come before the committee expeditiously in order to hear their presentations on the Kelowna accord?

Senator LeBreton: I thank Senator Austin for that question.

The fact that the Kelowna accord was signed three days before the defeat of the government has been noted. The subject matter requires immediate attention. Unfortunately, the Kelowna accord is like so many other things that the previous government jammed into the last few weeks when it realized that its defeat was imminent, and I cannot accept that the NDP, Bloc Québécois or the Conservatives are responsible for things that the government did not do until the last moment.

With regard to the chair of the Aboriginal Committee, honourable senators will know that he is a strong voice for Aboriginal and Metis people. I am certain that at the appropriate time all of these people will be invited to the committee to be heard. We will not have to tell him; he can certainly act on his own behalf.

NATURAL RESOURCES

SOFTWOOD LUMBER AGREEMENT— RESEARCH AND DEVELOPMENT IN FORESTRY INDUSTRY

Hon. Pierrette Ringuette: My question is for the Leader of the Government in the Senate. Her government has given over \$1 billion of our Canadian forest industry's hard-earned money to the U.S. forest industry to do product research and development and global market development. The government has removed from the current budget the \$1.5 billion package that was announced last November for the Canadian forest industry.

What amount of money will the government provide the Canadian forest industry to do product research and development and to compete with the U.S. forest industry for new global markets?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, not being a trade negotiator or a financial analyst, I will take most of that question as notice.

Most honourable senators will agree that putting the softwood lumber issue behind us has created stability for the provinces. The agreement represents a deal that is good for Canadians, lumber companies, workers and communities. The appropriate officials and the minister are consulting closely with the provinces and the territories on how we can work together to move this industry forward.

Senator Ringuette: The reality is that there are still nine months of discussions left before there will be an official ratification of the deal.

The reason the government will not be able to help our Canadian forest industry is that within that proposed deal are provisions that prohibit the Government of Canada from helping our own forest industry.

Will the minister table in this house that proposed deal and refer it to our own Standing Senate Committee on Banking, Trade and Commerce to be reviewed?

• (1420)

Senator LeBreton: I will put that request to the appropriate officials in the government.

Senator Ringuette: This is a matter of many, many jobs, and many businesses in Canada that need to survive. I ask the Leader of the Government again: Will the Leader of the Government table this deal, or is she afraid that she will again be accused of bullying the stakeholders?

Senator LeBreton: Honourable senators, when we started this process in the Senate I tried to communicate to senators on both sides that shouting at each other and dictating one's own views are really not what the Canadian public expect of parliamentarians.

Senator Ringuette: We expect openness. We want that document open.

Senator LeBreton: I again point out to the honourable senators: We were elected on January 23. We were sworn in on February 6. As I sat in this chamber when the honourable senator was sitting on the government side, I do not remember her ever insisting that her government resolve the softwood lumber dispute or, in fact, deal with the smaller industries.

I will take the question as notice.

[Translation]

PUBLIC WORKS AND GOVERNMENT SERVICES

APPLICATION OF OFFICIAL LANGUAGES ACT

Hon. Claudette Tardif: Honourable senators, my question is for the Minister of Public Works and Government Services. Like my colleagues, I would like to congratulate the Minister of Public Works and Government Services, Mr. Michael Fortier, on his appointment.

In her annual report, the Commissioner of Official Languages gave the mark of "poor" to the Department of Public Works and Government Services. This department had the third highest number of complaints among federal institutions. In reaction to the Commissioner's report, Minister Fortier said, and I quote:

As a francophone, I am not pleased to see the mark is rather less than spectacular. There is no doubt I will make the effort necessary to improve our marks significantly by the next report card.

The minister's reaction in this regard is encouraging. How, specifically, does the minister plan to proceed to improve the application of the Official Languages Act in his department? Does the minister have a plan of action or implementation, particularly in the light of Bill S-3?

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I thank the senator for her question and words of welcome.

She quoted me, and so I learn another lesson today. We can quote newspaper articles in this chamber, but not responses to questions from colleagues in the other chamber.

Your question is a very good one. Indeed specific measures will be taken. I am studying the report with my officials at the moment. The first measure will as follows. First and foremost, it has been a very long time since this department has been headed by a bilingual minister.

You will understand the Commissioner is delighted a minister can speak French with employees and hear their briefings in French, something that has not been the case for many years in this department.

Accordingly, leadership will start at the highest level, and I guarantee there will be improvements by the next report card.

Senator Tardif: Honourable senators, I have a supplementary question. I am confident that, given the minister's leadership and commitment with respect to improving linguistic duality in his department, there will be real progress. Could we then ask the minister to provide us with a written action plan for implementing Bill S-3 as soon as it becomes available?

Senator Fortier: Honourable senators, the minister does not have to provide written reports. The minister appears before committees. I am very new to Parliament Hill in Ottawa, and I would be pleased to appear before committees. I will study the report with

my senior officials and we will look at areas for improvement, of which there are certain to be many. As you know, the report reflects an era before my time, an era during which you were in power — not you personally, but the party you represent.

Once I have examined the report, we will develop an action plan, just like all of the other action plans I have developed for the department as part of my other responsibilities as Minister of Public Works and Government Services.

Senator Tardif: Honourable senators, I was talking about the future of S-3 and the new responsibilities that both houses of Parliament have committed to. Each department must now submit an action plan to fulfill the commitments in S-3.

Senator Ringuette: That is new.

Senator Fortier: Honourable senators, if we are required to submit a plan, we will, of course.

[English]

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

EMPLOYMENT OPPORTUNITIES FOR ABORIGINAL PEOPLE

Hon. Willie Adams: Honourable senators, at one time the government promised that in the future more jobs would be available for Aboriginal people.

My concern goes back to committee hearings where we received a promise that in the future any hiring in the government in Ottawa or across Canada would be open to all. Young Aboriginal people today have a better education than their parents. I believe it is important that the hiring policies of government departments include Aboriginal peoples.

Hon. Marjory LeBreton (Leader of the Government): Thank you, Senator Adams. I remember your representations before committees of the Senate about Aboriginal languages.

As I think you have acknowledged, we have a Minister of Indian Affairs and Northern Development now, in the person of the Honourable Jim Prentice, who is probably the best-qualified person that this country has seen for some considerable time. As you know, Minister Prentice, before he got into politics, worked in the areas of Indian land claims and northern issues.

He is knowledgeable and sympathetic. I think that anyone who watched him yesterday when he made the announcement on the residential schools issue — anyone especially from the Aboriginal community — will know that in Minister Prentice they indeed have a good advocate and friend.

THE ENVIRONMENT

KYOTO ACCORD COMMITMENTS

Hon. Grant Mitchell: Honourable senators, in what can only be described as a bewildering lack of leadership, this government's environmental policy seems to be drifting aimlessly.

On the one hand, we know that the government has cancelled its commitment to the Kyoto program, and they have replaced it with literally nothing. Now we find that the minister responsible for cancelling the Kyoto plan will fly to Germany to chair the international Kyoto meeting. She does not really want to chair it because she will only stay for the first day of a two-week meeting.

Could the Leader of the Government in the Senate please tell us, yes or no, is Canada in or out of Kyoto? If we are out of it, has the minister taken the courtesy of sending to our international partners some formal notification that Canada will not participate?

• (1430)

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for his question. I think it was not this government that took Canada out of Kyoto; it was the previous government that failed to live up to the Kyoto commitments.

Some Hon. Senators: Oh, oh!

Senator LeBreton: Minister Rona Ambrose has never attacked the goals and aims of Kyoto; she simply stated the obvious: Under the previous government emissions had increased rather than decreased. If honourable senators saw the news last night, they will know that the situation is even worse than we thought.

In terms of our ongoing responsibilities to the environment and our role in the global community, Minister Ambrose will be attending the conference in Germany.

Senator Mitchell: There is a direct correlation between how little the government has to do with its own policy areas and how much it talks about the past and other governments.

What kind of message is sent to the international community when this government's minister, a person who has betrayed the Kyoto program and wanted nothing to do with it, insists on going for one of 14 days to manage that meeting?

Senator LeBreton: Honourable senators, I do not accept the premise that somehow or other there is no plan regarding the issue of greenhouse gases, global warming and Kyoto. This is a serious problem.

The problem is that the previous government did not live up to their commitments. Having come to that stark realization, there is no point in the current government proceeding with or accepting what the previous government did. They simply did not live up to the commitments, and the situation is now much worse.

In terms of the environment, we have a minister who has been working very hard on this issue. I know that we will come up with a very good made-in-Canada plan. We will continue to help shape global dialogue on long-term international cooperation on climate change in a way that advances our country's interests and delivers meaningful results for Canadians.

As the President of the Conference of Parties to the United Nations Framework Convention on Climate Change for 2006, Canada will work with other countries to help advance a more

transformative long-term approach to tackling climate change. We will be open to other options for regional and international collaboration regarding reducing greenhouse gas and emissions.

I look forward to the Minister of the Environment presenting the plan to the House of Commons and also to this chamber when it is in place.

[Translation]

DELAYED ANSWER TO ORAL QUESTION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting the delayed answer to a question raised in the Senate on April 25, 2006 by the Honourable Senator Gerry St. Germain regarding the farm income crisis, disaster relief and the program to support alternative crops.

AGRICULTURE AND AGRI-FOOD

FARM INCOME CRISIS AND DISASTER RELIEF— PROGRAM TO SUPPORT ALTERNATIVE CROPS

(Response to question raised by Hon. Gerry St. Germain on April 25, 2006)

The government is very aware of the farm income situation facing grains and oilseeds producers, and we agree that one element of the solution is to provide a broader range of marketing choices for producers.

The government has committed to a 5 per cent renewable fuel content in Canada's transportation fuels by 2010. The 5 per cent goal is ambitious as it requires three billion litres a year of biofuels — a ten-fold increase from current use.

The Minister of Environment is leading the government efforts to implement this goal, in cooperation with provinces and territories.

The Council of Energy Ministers, co-chaired by the Minister of Natural Resources Canada, is coordinating federal-provincial work to develop a national framework on renewable fuels. The process to develop the national framework has been engaging stakeholders to ensure the long term success of a Canadian biofuels industry. Agriculture and Agri-Food Canada (AAFC) is also participating in this process as it is important that the development of the renewable fuels sector benefits Canadian farmers as much as possible.

As the biofuels sector develops in Canada, farmers will have new market opportunities for their grains and oilseeds. It can also have positive environmental benefits, while promoting rural economic development and technology development.

As well, research and development is continuing to improve production capability, efficiency, and enhance the long term viability of the biofuels sector.

As the Minister of Agriculture and Agri-Food has stated, Canadian farmers will share in the benefits of this new market opportunity for grains and oilseeds.

• (1435)

[English]

ORDERS OF THE DAY

INCOME TAX ACT

BILL TO AMEND—SECOND READING— POINT OF ORDER—SPEAKER'S RULING

On the Order:

Second reading of Bill S-212, to amend the Income Tax Act (tax relief).

The Hon. the Speaker: Honourable senators will recall that on Tuesday, May 2, during Orders of the Day under Other Business, as Senator Austin was about to move second reading of Bill S-212, Senator Di Nino rose on a point of order to argue that the bill was not properly before this house. The senator explained that under the Constitution Act, 1867, bills that appropriate any part of the public revenue or impose a tax must originate in the House of Commons. Such bills cannot be introduced first in the Senate. Based on his reading of the bill, Senator Di Nino maintained that Bill S-212 was imposing a tax and was appropriating public revenue. In his view, the bill "should have been preceded by a Ways and Means motion, should have been accompanied by a Royal Recommendation, and should have originated in the other place."

The senator went on to explain the reasons why he thought Bill S-212 was out of order. First, the bill provides an increase in the child disability supplement which could lead to payments out of the Consolidated Revenue Fund, the CRF. Second, clause 3 of the bill increases the maximum refundable medical expense supplement. As a result, in instances where a taxpayer is entitled to a tax credit, a refund will be made out of the CRF. Finally, while Senator Di Nino acknowledged that Bill S-212 reduces the income tax rate from 16 per cent to 15 per cent, he suggested that this could actually result in an increased tax burden for a very small number of taxpayers.

[Translation]

Other Senators participated in the discussion on this point of order. Senator Rompkey characterized the arguments justifying the point of order as specious. Senator Baker claimed that the expenditures contained in Bill S-212 were not really expenditures within the meaning of the objection raised. For his part, Senator Austin, the sponsor of the bill, denied that there were any appropriations or tax impositions in Bill S-212. The Senator also pointed to several precedents to buttress his position including past rulings in which the Speaker declared that bills proposing reductions in taxes did not require a royal recommendation.

Senator Stratton appreciated the intent of the point of order. He thought that the bill should be examined to determine if there is an increase on the public purse. Senator Murray then intervened. He repeated a point that had already been made by Senator Di Nino; that Bill S-212 is based in large measure on a bill that had been introduced in the House of Commons in the last Parliament. That bill, as Senator Murray recalled, had been preceded by a Ways and Means motion and accompanied by a royal recommendation.

• (1440)

Whether right or wrong in his recollection, the Senator was convinced that the provisions of the bill implicitly involved payouts that would be drawn from public funds. Finally, Senator Hays spoke to caution against any misunderstanding of the fiscal process that might prompt any confusion about the purpose of the bill, which is "to preserve tax reductions that are already in place."

[English]

Honourable senators, following these exchanges I stated I would take the matter under advisement. Since then, I have reviewed the applicable *Rules of the Senate*, closely examined the bill and studied the relevant precedents and authorities. I am now ready to make my ruling on the point of order.

There were three arguments made by Senator Di Nino to justify his claim that Bill S-212 is not properly before the Senate. Let me begin with the last one. The senator accepted that one objective of the bill is to reduce the federal income tax rate to 15 per cent from 16 per cent. This is achieved through clauses 1 and 2 of the bill. As he and other senators acknowledged, this reduction first appeared in Bill C-80, a bill introduced in the other place in what turned out to be the closing days of the last Parliament. According to the Journals of the other place, that bill was preceded by a Ways and Means motion. However, honourable senators, I can find no evidence that the bill was also accompanied by a Royal Recommendation.

In his presentation, Senator Di Nino explained that when the percentage of the tax rate is lowered, the tax credits are also lowered. When this happens, when a tax credit is lowered, according to the senator, a Ways and Means motion is required. Such motions are a distinct feature of the other place. There is no equivalent in any part of the Senate rules and practices. While I accept that clauses 1 and 2 of Bill S-212 will reduce the tax rate, I do not agree that this tax reduction necessitates a Ways and Means motion. A tax reduction is clearly not a tax imposition even if, incidentally, it has a negative impact on a small number of taxpayers. According to *House of Commons Procedure and Practice* by Marleau and Montpetit, at page 759:

Legislative proposals which are not intended to raise money but rather to reduce taxation need not to be preceded by a Ways and Means motion before being introduced in the House.

This statement is supported by two rulings by Speakers of the House of Commons, dating back to 1957 and 1972. Based on this aspect of the point of order, I would not be disposed to rule

Bill S-212 out of order. This is in keeping with my own preference and underscores my intention to allow debate which gives the Senate itself the opportunity to come to its own decision on the question.

There are, however, two other arguments that need to be considered in regard to this point of order. I propose to deal with both of them together. As has already been mentioned, much of Bill S-212 is based on Bill C-80. Despite their similarities there are some significant differences which may be reflected in their different titles. Bill C-80 was entitled, An Act to implement certain income tax reductions; Bill S-212 has as its title, An Act to amend the Income Tax Act (tax relief). In addition to incorporating elements of Bill C-80, Bill S-212, in clauses 3 and 4, also seeks to implement increases to the refundable medical expense supplement and the child disability benefit. As honourable senators may recall, both of these refundable credits had been increased in the budget implementation bill, Bill C-43, adopted last June. Prior to the enactment of this bill, the formulas used to calculate the refundable credits for medical expense supplements and the child disability benefit were \$500 and \$1,600 respectively. As a result of the changes implemented through Bill C-43, the figures were increased to \$750 and \$2,000. Bill S-212 now proposes to increase the benefit again to \$1,000 and \$2,300. Based on this analysis, it is clear that Bill S-212 is doing more than preserving tax reductions already in place. Bill S-212 also aims to provide tax relief in the form of refundable tax credits.

So far as I have been able to determine, these proposed tax credits have not had any expression in legislation. No bill was introduced in the last Parliament to implement them. They were certainly not any part of Bill C-80. In preparing my ruling, I found it instructive to review the procedures that were followed in the other place with respect to Bill C-43, entitled Budget Implementation Act, 2005. This bill was preceded by a Ways and Means motion. More importantly, when Bill C-43 was introduced and read the first time, it had a Royal Recommendation attached to it. This recommendation was necessary because of the proposed scheme to increase refundable tax credits. Unlike measures that affect non-refundable tax credits, bills proposing to alter refundable tax credits need a Royal Recommendation.

This is because the payouts that will be made to taxpayers, who are entitled to claim them, must be authorized. This authorization is the Royal Recommendation. These payments can only be made from the Consolidated Revenue Fund; they are expenditures of public money.

[Translation]

Rule 81 stipulates that:

The Senate shall not proceed upon a bill appropriating public money that has not within the knowledge of the Senate been recommended by the Queen's representative.

Bill S-212 does not have a royal recommendation, though it is clearly necessary with respect to clauses 3 and 4. Had Bill S-212 contained only clauses 1 and 2, I would have been able to rule otherwise. However, given this level of certainty with respect to

the meaning and operation of clauses 3 and 4, I am obliged to rule that the point of order that was raised with respect to further proceedings on Bill S-212 is well founded. The second reading motion on Bill S-212 will not be put for debate and the bill is to be stricken from the Order Paper.

• (1450)

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Céline Hervieux-Payette moved the second reading of Bill S-207, to amend the Criminal Code (protection of children).

She said: Honourable senators, I am pleased to speak to you again about Bill S-207, to amend the Criminal Code (protection of children). This bill was previously tabled in 2004, but its review in committee could not be completed due to the election. Since it was tabled in 2004, there has been a continuous flood of support for the bill, encouraging me to pursue the fight against the physical violence against children. Average citizens, health and social services professionals, non-governmental organizations, provincial premiers from Quebec, Ontario and British Columbia, fellow senators and MPs have asked me to continue this debate to put an end, once and for all, to the corporal punishment of children. Bill S-207 eliminates simply section 43 of the Criminal Code, which reads as follows:

Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances

In my speech during second reading of the previous Bill S-21, I gave a detailed history of section 43. I encourage you to review it. I would, however, like to revisit the definition of the verb "to correct" which *Webster's Dictionary* defines as follows:

to punish (as a child) with a view to reforming or improving behaviour.

And the word "correction", which means corporal punishment or hitting someone. Furthermore, we also see the word "care" defined in the Criminal Code as:

The provision of what is needed for health or protection.

Honourable senators, as I am sure you will agree, this definition is the antithesis of the word "correction". We must reflect deeply on this matter.

In 2004, the Centre of Excellence for Child Welfare, in its information sheet, *Physical punishment of children*, defines physical punishment as follows:

...an action intended to cause physical discomfort or pain to put an end to a child's behaviour...Attempts to distinguish physical punishment from physical abuse have not been successful. In fact, the majority of cases of reported and substantiated child physical abuse are situations of physical punishment.

[The Hon. The Speaker]

In 1991, Canada ratified the United Nations Convention on the Rights of the Child, which states in article 19:

States Parties — this includes Canada — shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Article 3 of the convention states that:

...the best interests of the child shall be a primary consideration.

In two successive reports on Canada, dated June 20, 1995 and October 27, 2003, the United Nations clearly indicated that, by maintaining section 43 of the Criminal Code in force, Canada was not complying with the terms of the convention it had signed.

On June 20, 1995, the Committee on the Rights of the Child stated that it was:

...preoccupied by the existence of child abuse and violence within the family and the insufficient protection afforded by the existing legislation in that regard.

As well, on October 27, 2003, the committee recommended that Canada:

...adopt legislation to remove the existing authorization of the use of "reasonable force" in disciplining children and explicitly prohibit all forms of violence against children, however light, within the family, in schools and in other institutions where children may be placed.

Despite these reprimands and recommendations, Canada still has not taken steps to comply with its international obligations.

Meanwhile, elsewhere in the world, the Council of Europe, at its 2004 parliamentary assembly, recommended in recommendation 1666 that all member countries ban physical punishment, and I quote:

[English]

The Assembly considers that any corporal punishment of children is in breach of their fundamental right to human dignity and physical integrity. The fact that such corporal punishment is still lawful in certain member states violates their equally fundamental right to the same legal protection as adults. Striking a human being is prohibited in European society and children are human beings. The social and legal acceptance of corporal punishment of children must be ended.

[Translation]

On April 22, 2005, the Committee of Ministers of the Council of Europe confirmed its support for Recommendation 1666, and:

...heralded the idea of launching a co-ordinated and concerted campaign in all member countries for the total abolition of the corporal punishment of children.

For example, in 2003, Germany tabled an exhaustive study of physical and psychological child abuse and in recent years has implemented many measures to eradicate abuse; these are summarized in the document entitled:

[English]

Violence in upbringing: an assessment after the introduction of the right to a non-violent upbringing.

The new German prohibition of violence is thus connected with the Swedish law reform, which was so successful because it couples a clear "no" to corporal punishment with a broad and comprehensive program of informing the public about the negative consequences of violence when raising a child.

[Translation]

In 1998, the German government amended its Civil Code to prohibit all degrading methods of instruction, including physical and psychological abuse.

And in 2000 it amended its Civil Code, which states:

[English]

Children have the right to a non-violent upbringing. Corporal punishment, psychological injuries and other humiliating measures are prohibited.

[Translation]

Furthermore, the German childcare law was also amended...

[English]

"...to promote ways in which families can resolve conflict without resorting to force."

[Translation]

The German federal justice department and minister for family affairs conducted research to assess the impact of the legislative changes and compared the results with previous findings. They discovered that, in 1996, 33 per cent of parents spanked their children; by 2001, after six years and a public awareness campaign, the number had dropped to 25 per cent. In 2002, only 3 per cent of children reported being beaten, compared to 30 per cent in 1992. Similarly, in 2002, 87 per cent of parents believed in the soundness of parental discipline without violence.

After Sweden, which completely prohibited corporal punishment of children in 1979, and which is the leader in this area, Germany is the model to follow. Obviously, Germany and Sweden did more than just amend their legislation. They carried out extensive public awareness campaigns, informing the public of

the risks and dangers of corporal punishment of children. Sweden even used milk cartons to inform parents that hitting a child constitutes an offence. These extensive campaigns drastically altered public opinion.

Several other countries have banned corporal punishment of children including Finland in 1983, Norway in 1987, Austria in 1989, Cyprus in 1994, Denmark in 1997, Iceland in 2003, Hungary in 2004, Romania in 2004, and Ukraine in 2004.

In Canada, no such measure has been considered since 1892. Even worse, in the case of *Canadian Foundation for Children, Youth and the Law v. Canada (Attorney General)*, the Supreme Court ruled, by a majority of four votes to three, not to ban this practice and to protect parents and educators, to the detriment of children.

• (1500)

This was the decision that compelled me to fight for this minority, to defend these children who cannot defend themselves. The majority of the justices made a discriminatory decision that only children aged 2 to 12 could be subjected to corporal punishment, even though such actions would be considered assault for the rest of the population.

As legislators, we cannot give others the power to decide what is “force [that] does not exceed what is reasonable under the circumstances.” As Justice Arbour, who is now the United Nations High Commissioner for Human Rights, stated in the Supreme Court of Canada’s decision:

The phrase “reasonable under the circumstances” in s. 43 violates children’s security of the person interest and the deprivation is not in accordance with the relevant principle of fundamental justice, in that it is unconstitutionally vague. A vague law violates the principles of fundamental justice because it does not provide “fair warning” to individuals as to the legality of their actions and because it increases the amount of discretion given to law enforcement officials in their application of the law, which may lead to arbitrary enforcement.

Further, she added:

Conceptions of what is “reasonable” in terms of the discipline of children, whether physical or otherwise, vary widely, and often engage cultural and religious beliefs as well as political and ethical ones. While it may work well in other contexts, in this one the term “reasonable force” has proven not to be a workable standard and the lack of clarity is particularly problematic here because the rights of children are engaged.

And finally:

Striking down the provision is the most appropriate remedy, as Parliament is best equipped to reconsider this vague and controversial provision.

It is therefore up to us as parliamentarians to protect our children. It has been shown that children under five are subject to corporal punishment most frequently. How can they defend

themselves? When do they know their parents have exceeded force that is “reasonable under the circumstances”? Whom can they turn to? How many times can they be struck before a neighbour or a teacher notices? Sometimes it takes a long time before marks appear, and then it is too late.

Honourable senators, to continue to allow parents to think they can strike their children to teach them a lesson is to fail to respect their basic rights to life, liberty and security of the person.

I would like to draw honourable senators’ attention to a number of Canadian studies on the subject, which confirm the importance of abolishing section 43 for the good of society.

First, there is the October 25, 2004, study done by Statistics Canada on the parenting environment and aggressive behaviour in children. The study involved 2,000 children and revealed that children two to three years of age living in punitive environments in 1994 scored 39 per cent higher on a scale of aggressive behaviour — such as hurting others or being naughty — than children living in less punitive environments. The difference, however, was even more marked six years later, in 2000, in the same children at ages eight to nine. Those living in punitive environments scored 83 per cent higher on the scale of aggressive behaviour than children living in less punitive environments. So, only 17 per cent of the children had not become aggressive. Statistics Canada noted that this aggression carried over into adulthood in the form of aggression, delinquency, crime, poor school performance, unemployment and other negative aspects. In other words, those who begin life in violence are unable to make positive contact with others, resolve conflicts normally and develop in a healthy manner.

On February 21, 2005, Statistics Canada published its *National Longitudinal Survey of Children and Youth: Home environment, income and child behaviour*. This study looked at changes in punitive parenting practices in the home and observed changes in child behaviour. Children showed higher levels of aggressive behaviour when their parents were more punitive. They also showed higher levels of anxiety and lower levels of pro-social behaviour, the latter defined as actions that benefit another person with no reward for oneself, when parents were more punitive. Note that in both Statistics Canada surveys, household income had little bearing on any of these trends.

In 2003, the Centre of Excellence for Child Welfare conducted a national study on physical violence against children. Some 31,488 cases of physical violence were investigated and corroborated in 2003 in Canada, excluding Quebec. In 12,775 of those cases, the child had been hit with a hand. Some 40 per cent of those children were slapped or spanked.

The Centre of Excellence recently gathered the findings of several studies and found that children who are hit have a tendency to hit other children; 19 per cent were violent toward others. They had a tendency to adopt anti-social behaviour such as intimidation and bullying at school and 36 per cent of children who are physically abused have psychological or behavioural problems. Lack of remorse was also observed because for

punished children violence is a habitual form of conflict resolution. The centre also noted deterioration in parent-child relations. What is worse is that a higher risk of depression, sadness, anxiety and despair was observed in the children. Unfortunately, children are beaten by those who are supposed to love them the most.

Some people have told me that in their childhood they had been hit and it was not so bad — I am talking about my colleagues here and elsewhere. The centre notes that 71 per cent of children who suffered physical violence had no evidence of physical scars. However, in 50 per cent of the cases investigators noted functional problems such as learning difficulties or developmental delays. In other words, even though it is not always apparent, it is far too often harmful.

In 2004, the *Joint Statement on Physical Punishment of Children and Youth* reported the results of several national surveys of Canadian parents concerning their use of corporal punishment. For example, in 2002, 50 per cent of respondents indicated that they had inflicted light corporal punishment. The results of regional surveys were also gathered. In Ontario, 85 per cent of respondents stated that they had spanked their children and 20 per cent reported having hit them with objects. In Manitoba, 70 per cent reported having used physical punishment. In Quebec, 48 per cent reported having physically punished their children in the 12 previous months and 7 per cent reported acts of severe violence such as shaking an infant, punching and kicking. However, the majority of respondents believed that physical punishment is ineffective and unnecessary, and most believed that it is even harmful. Parents who had themselves been physically punished as children were more likely to use this method. This is why, honourable senators, it is important to put an end to this backward, if not barbarous, practice.

In 2003, Toronto Public Health conducted a national poll on Canadians' attitudes toward removing section 43 from the Criminal Code. The results revealed that 69 per cent of Canadians agreed that teachers should not be allowed to physically punish children and 51 per cent agreed that parents should not be allowed to use corporal punishment. Sixty-one percent wanted to see section 43 removed if it were proven that corporal punishment is not effective and can be harmful. However, 71 per cent wanted it removed if it could be proven that this would decrease child abuse. In light of all of these studies and this poll, it seems obvious to me, honourable senators, that by voting in favour of this bill, the Senate would be listening to Canadian public opinion.

Honourable senators, I would now like to respond to those whom I have not yet convinced. Abolishing section 43 does not cause problems for parents who, in an isolated instance, lose their patience one day, because common law defences such as necessity and *de minimis* are still in effect — see section 8(3) of the Criminal Code — and will continue to justify isolated acts and acts that are necessary in order to protect children, meaning that court action will be avoided. As Justice Arbour said so well in the Supreme Court judgment, it “will not expose parents and persons standing in the place of parents to the blunt instrument of the criminal law for every minor instance of technical assault” — where the intent is not criminal, of course. The common law defences of necessity

and *de minimis* adequately protect those whose conduct is excusable or trivial and not repeated too often.

• (1510)

“The defence of necessity rests upon a realistic assessment of human weaknesses and recognizes that there are emergency situations where the law does not hold people accountable if the ordinary human instincts overwhelmingly impel disobedience in the pursuit of self-preservation or the preservation of others”.

The Canadian Bar Association, on page 206 of a 1992 study entitled *Principles of Criminal Liability: Proposals for a New General Part of the Criminal Code of Canada*, bases its reasoning on K. R. Hamilton, “De Minimis Non Curat Lex”, December 1991, which gives the following justifications for a *de minimis* defence: first, the application of criminal law must be reserved for serious misconduct; second, an accused must be protected from the stigma of a criminal conviction and from the imposition of severe penalties for relatively trivial conduct; third, the courts must be saved from being swamped by an enormous number of trivial cases.

With respect to the defence of necessity, the Supreme Court has reiterated its application on many occasions.

Also, we must not think that every parent will face prosecution based on a mere report. Take Quebec for example, which signed a multisectoral agreement on the social and judiciary response procedure. There are five essential steps in the decision-making process: first, the reporting of abuse to the director of child protection; second, liaison and planning; third, investigation and assessment; fourth, decision making; and fifth, action and information of partners.

Thanks to this whole process, a serious and thorough investigation can be conducted with a view to protecting the children and dismissing frivolous or unfounded complaints.

For the repeal of section 43 of the Criminal Code to be successful in curbing the physical abuse of children, this bill has to be complemented with national initiatives, as Germany and Sweden did.

First, there has to be a public awareness campaign, with a clear, consistent and tenacious message, saying that the use of corporal punishment to discipline children is unacceptable and that it can cause irreparable physical and psychological harm.

I would like to add that child abuse can also cause economic harm: In 2003, the Law Commission of Canada measured the economic costs of all forms of child abuse for 1998 alone. It was estimated that judicial costs and costs associated with social services, education, health, unemployment and other costs related to violence against children totalled nearly \$16 billion. That is to say that child abuse has a devastating effect not only on individuals but also on society in general.

Second, it is necessary to raise public awareness about discipline without violence. In this respect, I refer you to the information sheet published by the Centre of Excellence for Child Welfare,

which lists constructive methods for guiding children's behaviour, including modeling appropriate behaviour; monitoring and supervising the child's activities; planning and preparing for challenging situations; establishing expectations and limits ahead of time; and, most importantly, seeking assistance, whenever necessary.

Given the astronomical costs of violence against children, a comprehensive parent education program designed to support them in their child-raising role would be most beneficial for Canadian society as a whole.

Third, the Criminal Code has to afford the same protection from assault for everyone, and Canada has to fulfill its international obligations.

In closing, I would like to speak of the support received for the repeal of section 43 of the Criminal Code. In 2004, an initiative of the Children's Hospital of Eastern Ontario — the *Joint Statement on Physical Punishment of Children and Youth* — was formally endorsed by 138 Canadian organizations. Today, this statement has been endorsed by 226 organizations. I would like to name a few: the Canadian Academy of Child and Adolescent Psychiatry, the Canadian Public Health Association, the Association des centres de jeunesse du Québec, Ontario Association of Child and Youth Workers, the BC Institute Against Family Violence, Hôpital Sainte-Justine de Montréal, the College of Family Physicians of Canada, the Canadian Paediatric Society, the Yukon Family Services Association.

Therefore, honourable senators, I am asking you to support Bill S-207 in order to put an end to the corporal punishment of children, and in order for Canada to honour its international commitment and join the ranks of the nations most respectful of the human condition.

Honourable senators, a few minutes before giving this speech, I met with a class of nine- and ten-year-olds. These children discussed this bill. I intend to ask the committee responsible for examining the bill to invite some nine- and ten-year-old children to talk about the consequences of this legislation. I believe that they will be able to convince you that there is no longer room for this medieval practice in our modern society.

[English]

Hon. Willie Adams: Honourable senators, I have a little difficulty with the bill. What is the future? How are you going to police it? Nowadays, things have changed a lot. We used to punish kids with spanking, before we had a law on spanking. Today, kids are watching all kinds of things on television, with violence and things like that.

Today the kids and young people in my area who are 13 and 14 years old are starting families. They are not old enough to look after kids. How are you going to police how they behave themselves in the house? Will the RCMP or social welfare be there, watching how the family behaves?

To me, despite what happened so many years ago, we never had any break-ins in the houses. There was spanking in the schools and in the homes.

After the spanking law came in, especially for the Aboriginal people and the Inuit, if kids had a mark on the bum, the doctors told the RCMP that the kids have been abused. It happened a few times in the community in Nunavut.

To me, today, even if you love your kids you have to spank them sometimes. If they do not understand you, sometimes you get angry. What do you do? Just let them go so they become more spoiled? You could allow more people to punish them, social workers and the family, or you could have the RCMP get a warrant to take the youth from the home. What can the bill can do?

Senator Hervieux-Payette: Thank you for your comments. Let me remind the honourable senator that it was a practice also in Quebec to use corporal punishment in boarding schools. We have a case called the Duplessis Orphans. Several thousand children who were placed in boarding schools were declared mentally unfit and were brutalized.

If we look at the statistics today of the future of these people, whose childhood took place many years ago, more than half of them were unable to work in the marketplace because they were so damaged that they could never complete any course of study. They were depressed and had many mental problems. They were supposed to be placed in these institutions for their well-being and to be taken care of.

• (1520)

We have ample evidence that it starts with the education of the parents. A national education program for parents took place in Germany, and it has been a tremendous success. It is not a matter of having the police educate parents; it is the responsibility of the government that implements this measure to have a national campaign.

Whether it is on milk containers or on television, the program must properly inform the parent who wants to discipline their child. This does not mean that one should never discipline a child; it means that one should not use physical correction because it does not work. Psychologists, psychiatrists, pediatricians and everyone who works with children state that when they are treated properly and disciplined properly, they mature and become responsible individuals.

I am not saying that parents are not allowed to lose their temper once in a while; this bill is not designed for that purpose. It is meant to stop the practice of educating a child by using physical correction on a regular basis.

We say that reasonable spanking does not exist because it cannot be measured. This is what Judge Arbour at the Human Rights Commission at the United Nations is saying. What is a mother of 90 pounds compared to a father who weighs 225 pounds? I do not think the spanking would be the same. Therefore, it cannot be measured. It has produced only very large damages. The human cost to our society is \$16 billion a year for juvenile delinquency and depression.

[Senator Hervieux-Payette]

Honourable senators, the evidence is that we have to make sure that the parents have support, that the social services are behind them and that we are educating our people.

Hon. Anne C. Cools: Would the honourable senator take a question?

Senator Hervieux-Payette: Of course.

Senator Cools: I think we all believe in this chamber that brutality is undesirable. However, I am interested in the statement by my honourable friend about a national education program to educate parents, or to teach people how to be parents, for that matter. Does this bill contain any provisions to that effect?

Senator Hervieux-Payette: Yes. There is a provision that the bill not receive Royal Assent for one year. It is similar to the provisions for using a safety belt in cars; it was understood very well by the people that it would save lives. In this case, the measure is certainly less material. It is more a matter of telling the parents where to reach out for the support they need to use other means of discipline.

I am a grandmother of six. I can tell honourable senators that discipline exists in my family, and my daughters were never obliged to hit my grandchildren. Neither am I, when I am babysitting.

Senator Cools: I think the honourable senator misunderstood my question. From her response, I understand that she is saying the bill has a provision, not for a program, but to postpone the implementation of the bill.

My question concerns the program that she is talking about. I am hearing her say that she hopes the government will create a program of the type that she has in mind, but there is nothing in the bill to really call such a program into existence.

Senator Hervieux-Payette: I would like to remind my honourable colleague that neither are there any measures in the Criminal Code to rehabilitate criminals. Knowing that governments will save on the \$16 billion budget to repair all the damages, there is ample money to finance this measure at the national level. After my discussion with the Attorneys General of British Columbia, Ontario and Quebec — and I am touring Canada — the Ministers of Justice from these provinces, as well as the minister responsible for children, they are totally supportive. We know that they are in charge of administering the law on a day-to-day basis. They already have agreements in place stipulating that it is not the police who will intervene; it is the family and the department that will deal with these issues. Of course, when it is severe violence, even with section 43, you cannot beat your children to death between two and 12.

However, regular physical correction, without any physical appearance, is still producing severe damage. For children who are hit on the one hand and loved on the other hand, it is hard to reconcile these two sentiments.

Senator Cools: I do not think that I am getting the answers I am looking for, so I will go at this in another way.

In its provisions, does the bill differentiate between severe abuse and other situations? In other words, do the provisions of Bill S-207 differentiate between a tiny slap on the fingers and a severe, brutal beating?

Senator Hervieux-Payette: Actually, this has already been dealt with by the Criminal Code. Reasonable force is the concept that Judge Arbour, myself and all the people involved with families are saying is impossible to implement. I have mentioned the two defences, the *de minimis* defence and the one dealing with necessity. When two kids are fighting each other, someone may have to use force to make sure that they will not hit each other, whether it is in a school yard or at home.

However, it is important to know that the program is a regular program that already exists in the Department of Human Resources, and it can be enriched. We are not talking about billions of dollars. I am quite sure that if we were willing to put reasonable campaigns on television and communicate through various associations, we would attain the goal of educating parents to understand that hitting children is not disciplining them.

On motion of Senator Comeau, debate adjourned.

QUESTION OF PRIVILEGE

Hon. Pierrette Ringuette: Honourable senators, pursuant to rule 43, I should like to raise a question of privilege with respect to misleading statements made by the Leader of the Government in the Senate on May 3, 2006.

• (1530)

On Wednesday, May 3, in the Senate, the Leader of the Government responded to some senators' concerns about her absence during Question Period. The honourable senator said:

My absence yesterday was to attend a special cabinet meeting to brief us on the budget.

Following the above confirmation from the Leader of the Government in the Senate on Wednesday, I asked my staff to verify if cabinet members were in the House of Commons during Question Period on Tuesday, May 2.

I received the pertinent information on Tuesday, May 9, and personally verified it before notifying the Senate of my intentions to raise this question of privilege at the earliest opportunity, therefore, yesterday morning.

Only two sitting days had elapsed since the incident, which was used to obtain and verify the information and consequently give a written notice to the Clerk of the Senate to notify this house and to finally raise the question of privilege I am speaking to now.

To my surprise, when reviewing the tapes, at the exact time that the Leader of the Government in the Senate claims to have had a cabinet meeting, most cabinet members, including the Prime Minister, were in the House of Commons. On May 2, Senate Question Period was between 2:45 and 3:10. On the same day, in

the House of Commons, Question Period was between 2:15 and 3:05. One can certainly conclude that the cabinet briefing on the budget could have only occurred after Question Period of the House of Commons, which ended at 3:05 on Tuesday, May 2.

With evidence of this misleading statement, I am raising this serious offence at the earliest opportunity for the Senate to take up for consideration.

Honourable senators, I have on hand a videotape of the House of Commons proceedings during the time the Leader of the Government alleges she was in a cabinet meeting, which was during Question Period of the House of Commons. As the *Journals of the House of Commons* and videotape indicate, all ministers but one were in the House of Commons during the same period.

Honourable senators, I have serious doubts that a meeting of one minister from the House of Commons and two ministers from the Senate amounts to a cabinet meeting, special or not. Respectfully, I doubt that such a conclusion could logically be reached. If the current Government of Canada operates with cabinet meetings of three persons, then this country has serious issues.

This government constantly pretends to be accountable and to be lifting up the veil of secrecy. The fact of the matter is that what they say and what they do are two different things. This question of privilege is at the heart of this Conservative government's self-proclaimed accountability.

Honourable senators, after reviewing the Leader of the Government's statement in the *Journals of the Senate*, and verifying the location of the Prime Minister and cabinet ministers at the time that Senator LeBreton claimed to be in their presence, I have come to the conclusion that the Leader of the Government in the Senate is in contempt of Parliament.

Honourable senators, contempt of Parliament is an offence against the authority and dignity of the Senate, or an act which offends against the authority and dignity of Parliament, or against its officers or members. The evidence is overwhelming and in clear contradiction with section 4 of the Parliament of Canada Act. We take contempt of Parliament very seriously and provision is made for severe penalties for those who are found in contempt of court or in contempt of Parliament.

Parliament is an institution that must maintain the confidence of the people. The people must believe that parliamentarians act with integrity and honesty at all times. In my opinion, this matter directly concerns the privilege of the Senate and this seriously impedes on our ability to fulfil our parliamentary obligations.

If the absence of the Leader of the Government in the Senate from Question Period and her following misleading statements to cover that up does not amount to a grave and serious breach affecting our ability to perform our duties, I do not know what does.

[Translation]

In addressing this point as a matter of privilege and not as a substantive motion, which could be debated after notice is given, I want this question of privilege to be considered to be of the utmost importance.

[Senator Ringuette]

I therefore ask Your Honour that all other matters of the Senate be put aside and the prima facie merit of this question of privilege be recognized. Respectfully, I must remind this house that, when His Honour is asked to determine the merit of a question of privilege, he must not assess the merits of the question of privilege as such, but, rather, restrict himself to determining whether there is sufficient evidence for the matter be given priority for debate.

Honourable senators, I believe this question of privilege fulfills the four conditions in rule 43. I contend that the inaccurate statements by the Leader of the Government in the Senate constitute a breach of senators' privilege and are in contempt of the Senate.

This question of privilege calls for corrective action only the Senate can bring. It is up to the Senate to decide what corrective action to take and, in my opinion, there are no other parliamentary procedures to resolve this dispute. Therefore, I ask senators to intervene in order to remedy this grave and serious offence.

[English]

The facts are clear: The statements made by the Leader of the Government in the Senate were misleading. For this, she should be found in contempt of Parliament. I urge Your Honour to rule on this issue based on the facts that I am stating and tabling.

I do not take lightly my role and responsibility as a senator for New Brunswick, and I researched my intervention in this house with respect for each and every one of us. I did so within the rules accepted by this house.

On Tuesday, May 2, on a very important day, which was also the first Senate sitting day of the week, I had pertinent questions that required pertinent answers from this government. After many conversations with the softwood industry people, I had important questions on the issue of the softwood agreement signed with the United States.

Your Honour, given the facts presented today, I ask you to establish that this situation constitutes a prima facie case of privilege in order for me to call upon the Senate to take action on the matter. Your Honour's ruling on the facts presented to the Senate today will undoubtedly set the tone and quality of our sitting for the months to come.

I table the following: The videotape of the House of Commons Question Period of May 2, 2006, and Hansard of the said period; as well as the Question Period *Journals of the Senate* of May 2 and May 3.

Some Hon. Senators: Hear, hear!

The Hon. the Speaker: Is leave accorded for tabling the documents?

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Speaker: Leave is not granted.

Honourable senators, is there further comment on the question of privilege?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I listened carefully to the intervention of the honourable senator. I absolutely want to confirm that I was at a special cabinet committee meeting that started at 3 p.m. When we looked at the Order Paper that particular day containing the statements and tributes, we realized that Question Period would not start in this place until around 2:50 p.m. If my reading of Hansard is correct, I think that is when it did start.

• (1540)

The Deputy Leader of the Government gave notice and informed the official opposition that I would have to attend this cabinet meeting. I think most senators would understand: I am a new member of cabinet, it was budget day and I, of course, wanted to be briefed on the budget. I have tried to answer the questions as they have been delivered. I knew I could not be in two places at one time.

Question Period in the House of Commons is held at a fixed time, from 2:15 p.m. until 3 p.m. When I arrived at the cabinet meeting at 3 p.m. there were already several ministers in the cabinet room, and the meeting started shortly thereafter. Meanwhile, if Question Period here had continued, it would have lasted another 20 minutes if it started at 2:50 p.m.

I am sure all honourable senators believe me when I say that I was at the cabinet meeting. I felt I was following proper procedure by notifying the official opposition that I would not be in my seat during Question Period.

I regret that this issue has become a question of privilege. I leave it in His Honour's hands to decide whether it is a question of privilege.

Hon. Consiglio Di Nino: Honourable senators, first I think the record should clearly state that proper notice was given. It is not unusual, although it does happen from time to time, that the Leader of the Government in the Senate cannot attend, and therefore is not present for, Question Period. I have been around here long enough to remember many times where the individual occupying that office was not present. A courtesy was extended, if I remember correctly, that questions would not be asked.

Second, Senator Ringuette seems to base her argument purely on the number of individuals who are cabinet ministers and who would attend a cabinet meeting. In her own comments, she suggested there were some cabinet members who were most likely at this meeting.

I do not believe there are any specific rules that state you must have a certain number of cabinet members in attendance for a cabinet meeting to take place.

I think the Leader of the Government in the Senate acted responsibly. She certainly acted appropriately by giving notice to the opposition that she would not be present. Regardless of how many members of cabinet sit in a meeting, I believe they constitute a cabinet meeting.

[Translation]

Hon. Fernand Robichaud: Honourable senators, the question before us is not whether notice was given or not. Notice was given. It has happened that ministers were unable to attend the House, and all honourable senators understood the situation. That is not the question.

The presentation made by Senator Ringuette concerns the answer provided the following day by the Leader of the Government in the Senate, saying that she was attending a cabinet meeting at the time. I am questioning neither what the Honourable Leader of the Government said, nor what Senator Ringuette said.

If we were to receive information which, on the face of it, appears to be false — and that is indeed the question put to you: whether or not there is a *prima facie* question of privilege.

I think that Senator Ringuette clearly made her point. The matter is now in the hands of the Chair. It is not a matter of believing or not believing. We could easily listen to the tape recordings before making a decision, since cabinet meetings are recorded and the recordings are available. I would not want to cast doubt on the truthfulness of what was said, because we are all honourable senators. However, we are faced with a situation where two honourable senators saw an event differently.

Before making his ruling and setting the record straight, His Honour will need to make sure that the matter before us has been given due consideration. I encourage His Honour to confirm whether the facts presented have been well represented and to determine whether or not there is a question of privilege.

[English]

Hon. Joan Fraser (Deputy Leader of the Opposition): Like other honourable senators, I am content to leave this issue in Your Honour's hands, but I would like to offer a couple of thoughts.

First, I think this exercise demonstrates to us that it is not a frivolous matter when one gives explanations with regard to presence, absence or other conduct, to the Senate. One must be precise when making those explanations.

The explanation that the Leader of the Government has offered today — and I take her at her word of course — is not exactly the explanation that she offered the other day in this place. I leave it to Your Honour to decide whether privilege has been breached.

I observe that Question Period is not a minor element of our proceedings. However circus-like its atmosphere may sometimes be, it is a profoundly important part of parliamentary process, and not to be taken lightly.

Since this issue has been raised, with regard to whether "proper" notice was given, propriety may lie in the eye of the beholder. However, that day, before the Senate sat, senators on this side of the house were in caucus, as were, I believe, senators on the government side.

I received an urgent note in my caucus between 1:45 p.m. and 1:50 p.m. That is, our side had, in fact, received notice of between 10 and 15 minutes before the Senate sat that Question Period would be missing two ministers.

I did not consider that time as being adequate notice, nor did most honourable senators. If those opposite consider 10 minutes to be adequate notice, I find that slightly surprising.

[Translation]

Hon. Marcel Prud'homme: Honourable senators, we are creating a dangerous precedent, in launching an investigation to determine whether the minister was here or there. I did not expect this to take such a turn. I have no intention of checking, for every single time when the former government leader was away, whether a ten-minute notice was given, as Senator Fraser suggested. Personally, I never received any notice saying that the leader would be absent. I would notice his absence once in the chamber.

• (1550)

It was very frustrating because I wanted to ask some questions. I knew there would be issues I planned to ask supplementary questions about, but I realized the minister was not there.

I will not start commenting on the attitude of the current Leader of the Government. I am not so naïve as to think that no senators would want to discuss whether, every time the former leader was absent in past months or years, he was really where they said he was.

That is a very dangerous precedent. I would like His Honour, in all his wisdom, to take as much time as he needs to study the precedents. I do not wish to take issue with Senator Ringuette, my colleague and friend, but I feel strongly that we must not treat this matter of privilege lightly. To do so would be to initiate a major debate about the former administration and everybody's attendance.

[English]

Senator Meighen, I will speak in English, if you prefer, but today I prefer to speak in French.

I will not repeat what I have just said, but I hope Your Honour takes the necessary time to prepare the ruling because it could set an extremely dangerous precedent and possibly lead to a disorderly future for the Senate. We understand what can happen when the opposition holds a strong majority, the government has a small minority and some are sitting as independents, such as Senator Rivest, Senator Plamondon and I.

[Senator Fraser]

The general atmosphere in the house for debate of this issue and where it might take us concerns me. Therefore, as Senator Fraser said, I am at the mercy of Your Honour's wisdom, and your staff, and ask you to take all the time necessary because of the precedent that could be established.

Hon. Tommy Banks: Honourable senators, because the matter has been raised and Senator Fraser has referred to the necessity for precision, which would be right if the question is to be considered, I would refer to Senator Di Nino's remarks. Senator Di Nino said that he did not know whether there were specific provisions on the number of people required to constitute a cabinet meeting. It would be instructional for us to know whether there are rules on quorum in respect of cabinet meetings and whether a cabinet meeting can be held with three people.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, there is no question of privilege in this instance. Senator Ringuette has raised a mere complaint that Senator LeBreton was not present on one occasion. First, this matter was not raised at the first opportunity, as Senator Ringuette asserts; the timing issue was clear from the outset and could readily have been determined by Thursday of last week, and certainly by Tuesday of this week, that under rule 43(2) of the *Rules of the Senate*, the matter cannot be proceeded with under the terms of rule 43 because it was not raised at the first opportunity.

The claim that this constitutes grave and serious breach, as is required under rule 43(1)(d), is a far cry from reality. Senators are absent from this chamber for a range of reasons. In this instance, ministers do have other duties. The Senate Question Period would not have been finished before Senator LeBreton had to attend to other duties. These are the facts. Senator LeBreton could not reasonably be expected to leave Question Period after only a few minutes — to simply get up and walk out. Senator LeBreton provided advance notice to the Leader of the Opposition, to the Deputy Leader of the Opposition, to the opposition whip and to the Speaker of the Senate. There might not have been as much advance notice as the other side might have wanted, and we have heard the complaint on that element as well, but it is a complaint. There is no genuine remedy for occasional absences, no matter what the reason. Thus, rule 43(1)(c) is also not satisfied.

It is not a reasonable proposition that the absence of the Leader of the Government in the Senate could bring this chamber to a halt in such a way as to impede its work beyond repair. Indeed, Question Period did proceed in the absence of the minister. The claim of question of privilege is, at best, specious and should be dismissed for the complaint that it is.

The Hon. the Speaker: Does any other honourable senator wish to speak?

Honourable senators, I believe that I have understood fully the question of privilege that has been raised and the comments that have been made by honourable senators. I will take the matter under advisement and return with a ruling as to whether a *prima facie* question of privilege has been assessed.

FUNDING FOR TREATMENT OF AUTISM

INQUIRY—DEBATE ADJOURNED

Hon. Jim Munson rose pursuant to notice of April 27, 2006:

That he will call the attention of the Senate to the issue of funding for the treatment of autism.

He said: Honourable senators, there is an urgent health issue in this country and that issue is autism. The Autism Society of Canada estimates that the number of children with autism has grown by more than 150 per cent in the last six years and now affects one in 200 children. Autism affects people in different ways, isolating its sufferers with compulsive behaviours and speech disorders that close people off from their family, friends, teachers, neighbours and society as a whole.

Researchers studying the brains of people with autism see similarities to other conditions such as Alzheimer's, Parkinson's and Lou Gehrig's Disease. Treatment can make dramatic differences in the lives of people with autism, especially in the early years. The sad fact is that too many children in Canada do not have access to the treatment they need. Across this country, parents are scrambling to find health and social services to help their children break the neurological barrier that prevents them from participating fully in school, family and community. These people are slipping through the mesh of our social safety net. Canada is letting them down and we must take action.

It is heartbreaking to see what is happening to families with autistic children. Two bills have been introduced in the other place that will commit the government of this country to take action to help people with autism and their families. These are Bill C-211, an act to amend the Canada Health Act, and Bill C-212, an act respecting a Canadian Autism Day. I call upon senators to support these bills when presented in this chamber so that we can be part of a national solution to this devastating disorder and part of increasing Canadians' awareness of autism and its affects on individuals, families and communities.

Not long ago, a generation or two, autism was considered to be a psychiatric response to parents, especially mothers who were cold or not loving enough. We have changed our views, thank goodness for that. However, autism remains a mystery in many ways. We do not know what causes it. We do not know how to cure it. We do not know why the number of children suffering from it is growing. We do not have consensus on what constitutes adequate or appropriate treatment, and we certainly do not know how to pay for autism treatment.

I recently stood in the rain on Parliament Hill with representatives from every political party. We stood united in our support for the children and families of people with autism. We need to remember that autism has far-reaching impacts on families — just ask young Joshua Bortolotti.

• (1600)

Two years ago, his sister Sophia was diagnosed with autism spectrum disorder and this big brother, only 12 years of age at the time, presented me with a petition calling for access to treatment for his little sister.

Many have claimed that intensive behavioural intervention, IBI, is the best treatment for children with autism. It is a painstaking, expensive treatment that requires full-time individual therapy for children at a young age.

Success stories exist. In one study, with an average of 40 hours per week of one-on-one treatment for two or more years, almost one-half of the children recover to the point of being indistinguishable from their normally developing peers. The cost of intensive behaviour intervention is between \$50,000 and \$120,000 a year, depending on the severity of a child's condition.

Most provinces pay for the treatment up to a certain amount. British Columbia and New Brunswick, for example, pay up to \$20,000 a year, not even one-half of the cost of treatment for the child who needs the least amount of treatment. In Ontario and Quebec, treatment is limited to children under six and waiting lists are so long that many children reach their sixth birthday before having access to treatment.

Recent news reports have referred to Alberta as the best province for autism service. How fortunate for Albertans.

What does this mean for the rest of Canadians? It could mean pulling up stakes and moving to Alberta, or it could mean selling your home and taking on a huge debt to buy the care that your children need. Parents are going broke. Why are parents being penalized? Where is the universality in health care of which Canadians are so proud? It is not to be found if you have a child with autism.

The Canada Health Act does not specify autism treatment as an insured health service. This means that access to treatment depends on where you live. This is shocking to most Canadians. We believe that people who are ill should get the treatment they need.

We must recognize autism for the health problem it is, one that is urgent and demanding of our immediate action. Autism knows no borders.

The Canadian Institutes for Health Research devotes between \$16 million and \$18 million to autism-related research. This includes genetic research, health services research and research concerning appropriate support for families. We do not have a national strategy for autism. We do not have a plan to link policy and research. We have to learn more about which treatment works best for whom and in which setting.

It is time for the Government of Canada to show leadership in the same way leadership has been shown with Canada's drug strategy and diabetes strategy. We need an autism spectrum disorder strategy.

There is no doubt that intensive behavioural intervention treatment is expensive, and shockingly so. In fact, if only one-half of Canadians diagnosed with autism received an IBI treatment at \$20,000 a year, our annual public health care spending would increase by \$700 million.

However, honourable senators, we need to act. Nine out of 10 children who do not receive the treatment they need are institutionalized. This is a huge cost to our society and a tragic loss of potential. Think about it, senators. If these children had

cancer, would we not act? Would we debate whether they were deserving of chemotherapy, whether our society had responsibility to treat these children? No, we would not deny this treatment.

The numbers involved — both the growing numbers of children and families affected by autism and the costs associated with treatment — demand that we pay attention and take action. I know that my honourable colleagues Senators Kirby and Keon have been studying mental health issues and consulting with Canadians, including people with autism and their families. I commend this important work.

Allow me to quote directly from the latest report of the Standing Senate Committee on Social Affairs, Science and Technology's as follows:

The Committee recognizes that family caregivers are struggling to provide the best care possible for persons living with autism. Their emotional and financial hardships are very real, and a solution must be found. However, we do not believe the Committee is well placed to make recommendations at this time. Further study is required if we are to do justice to this extraordinarily complex issue...

Canada's most vulnerable children are falling through the mesh of our social safety net. Every province has a different approach. This patchwork approach to autism in Canada is ineffective and, in some ways, demeaning. We know that autism is a neurological disorder — a health problem. It is time we recognize that autism treatment is an essential health care service that should be funded through our health care system.

The federal government has shown leadership over the last few years. We have supported several community-based initiatives to help children and families including the Aboriginal Head Start program, the Canada Prenatal Nutrition Program and the Community Action Program for Children. All these programs put money where it is needed — helping children and families. We need to do the same for autism.

We need a strategy to link policy and research to treatment and services. We must then make a commitment to act. We need to do more than just say that we care about children and families with autism. We must show that we care. Let us have a national strategy to address autism.

I would hope that after reasonable debate here — and I do not mean in 15 years when I will be 75 — we can move this inquiry to the appropriate committee for further study and recommendations in order to do something for these children. No child in this country should be left behind.

Hon. Wilbert J. Keon: I wish to commend Senator Munson for what he has just said.

I have not had the time to look at this issue in depth, but I and other honourable members of the Standing Senate Committee on Social Affairs, Science and Technology have reviewed it to an extent. It is such an enormously complex subject that transcends so many disciplines that we did not quite know what to do with it.

Although this would require much more research, my immediate reaction is that we should probably approach it as the British have and define it as an entity unto itself that requires input from many departments and government.

When we conclude debate on this item in the chamber, will Senator Munson be recommending a study of this subject as a stand-alone entity that requires the resources of health care, education and social services rather than in the context of health care, education and social services themselves?

Senator Munson: Yes, honourable senator, I think it deserves that recommendation. I also think it deserves to be put on the agenda of the Minister of Health so that borders disappear with regard to autism. I am hoping that after a very short debate here, I can move a motion to move it to the Standing Senate Committee on Social Affairs, Science and Technology as a stand-alone entity and that committee can come up with new and innovative ideas for treating this condition. The treatment must be equitable all across the country as it is with diabetes and other diseases.

I spoke briefly about this situation when I came here two and one half years ago. Since that time, the children who were four years old are now six and a half, and it may be too late. It is the same as with everything in life. If we capture the child now with the proper treatment, on the financial side, we will save millions of dollars because, instead of being institutionalized, these children will participate in our society.

• (1610)

For the relief of these families for helping others, we have a commitment at this time from your committee to go full steam ahead in dealing with this issue.

Hon. Anne C. Cools: I would like to thank Senator Munson for bringing forward this issue for debate. This question should have been asked a long time ago.

I listened with some care to Senator Munson's statements, and I understand that autism is a condition that has been shrouded in mystery and a lot of misunderstanding for quite some time. Perhaps when Senator Munson closes the debate he could give us a more ample description of the challenges, the difficulties and the problems that autistic children and their parents face in life. I wonder if he would consider putting more substantive detail on the record.

Senator Munson: I certainly will consider that. I am new at this, but I know one thing: Its incidence was one in a thousand just a few years ago; now it is one in 200. I understand it is becoming 1 in 175. It is a mystery. Why is it happening? We must get to the bottom of that question, and I would be pleased to share all the information I have. I believe we need to step beyond this chamber into our committees and have the people and the experts come forward to say how to do it. We must have the will of governments to tear down these borders. Whether you are in St. John's or Victoria, you must get the same treatment, or be offered the same treatment.

On motion of Senator Mercer, debate adjourned.

[Translation]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

COMMITTEE AUTHORIZED TO STUDY PROCEDURE FOR REINTRODUCING BILLS FROM PREVIOUS PARLIAMENT

Hon. Céline Hervieux-Payette, pursuant to notice of May 2, 2006, moved:

That the Standing Committee on Rules, Procedures and the Rights of Parliament study and make the necessary recommendations on the advisability of amending Senate practice so that bills tabled during a parliamentary session can be reintroduced at the same procedural stage in the following parliamentary session, with a view to including in the Rules of the Senate, a procedure that already exists in the House of Commons and would increase the efficiency of our parliamentary process; and

That the committee report to the Senate no later than June 8, 2006.

She said: Honourable senators, in this motion I am once again proposing that the Standing Committee on Rules, Procedures and the Rights of Parliament study and make the necessary recommendations on the advisability of amending Senate practice so that bills tabled during a parliamentary session can be reintroduced at the same procedural stage in the following parliamentary session, with a view to including in the *Rules of the Senate* a procedure that already exists in the House of Commons and would increase the efficiency of our parliamentary process. I also propose that the committee report to the Senate no later than June 8, 2006.

I would remind the honourable senators that this motion was introduced in the last session, but the election call prevented the completion of its review in committee. However, it is important to point out that this procedural amendment would apply only to public bills originating in the Senate.

Honourable senators, as you know, prorogation ends the session and, in turn, all the work in progress and requires that we constantly reintroduce the same bills. How many times was the act to protect heritage lighthouses, sponsored by the honourable Senator Forrestall, introduced? Five times. The first time in 1999, Bill S-21; then in 2001, Bill S-43; in 2002, Bill S-7; in 2004, Bill S-14; and again in 2004, in the third session, Bill S-5, when it was finally adopted. It took five years for this bill to go through the complete parliamentary process.

How many times has the Act to amend the Criminal Code (lottery schemes), sponsored by Senator Lapointe, been introduced? Three times. An Act to Amend the Official Languages Act (promotion of English and French), sponsored by Senator Gauthier, was introduced four times.

The list of bills is long. Between the Thirty-fifth and Thirty-eighth Parliaments, 32 bills were introduced several

times. This manner of proceeding goes entirely against the desires of Canadians, who want an efficient parliamentary system.

Honourable senators, this procedure is not new and its efficiency has been proven in the House of Commons. In fact, on November 30, 1998, with the unanimous consent of all political parties, the other House amended its Standing Orders and added section 86.1, which reads as follows:

At the beginning of the second or a subsequent session of a Parliament, all items of Private Members' Business originating in the House of Commons that were listed on the *Order Paper* during the previous session shall be deemed to have been considered and approved at all stages completed at the time of prorogation and shall stand, if necessary, on the *Order Paper* or, as the case may be, referred to committee and the List for the Consideration of Private Members' Business and the order of precedence established pursuant to Standing Order 87 shall continue from session to session.

Section 86.1 was passed after the 13th report of the Standing Committee on Procedure and House Affairs was unanimously adopted. The committee found that:

The latter is convinced that the measure adopted at the beginning of the session contributed to the passing of a certain number of private members' bills and accordingly recommends a permanent change to the Standing Orders.

Since 1998, our colleagues in the other place no longer waste any time constantly reintroducing the same bills. This method was not totally new because a few years earlier it was used to reinstate certain bills on the Order Paper in a new session at the stage they had reached before prorogation.

What a waste of time and money for taxpayers when we have to reintroduce and re-examine the same issues. This is especially true when there is a minority government. Senators spend a lot of time in committee reflecting on bills that, according to current procedure, may not get passed. These reviews call for serious reflection and many witnesses are called to appear before committee several times. Sometimes these witnesses come from across Canada and from abroad to share their points of view with the members of the committee. It is a waste of time and money. Individuals and representatives of interested groups lose their confidence in the process.

Honourable senators, this modification to Senate practices will benefit all parliamentarians regardless of their political stripe. You can already see the objectivity of this motion.

• (1620)

Let us remember that, in the House of Commons, all parties without exception voted in favour of this change. Furthermore, as we are speaking more and more of Senate reform, I believe that by adopting such a measure we will demonstrate that we are attuned to the views of the public, which would like parliamentarians to be concerned more with the substance of issues than with their technicalities.

Honourable senators, let us listen to Canadians by spending their money wisely. We are just at the beginning of a new session. That is why it is imperative to find a suitable way to make progress in our debates and to look at other issues that are just as deserving of our attention. Canadians are entitled to expect appropriate answers in a reasonable period of time.

Change is needed. This reflects on the reputation of the Senate, the effectiveness of our parliamentary work and our responsibility to Canadian citizens. Thus, out of respect for the honourable senators and the citizens of Canada...

[*English*]

The Hon. the Speaker: Honourable senators, I apologize to Senator Hervieux-Payette for interrupting.

Is it your pleasure, honourable senators, that the Senate do now adjourn during pleasure to await the arrival the Her Excellency the Governor General?

Hon. Senators: Agreed.

The Hon. the Speaker: Furthermore, honourable senators, following completion of Royal Assent, is it agreed to adjourn at pleasure and reassemble at the call of the bell for about 10 or 15 minutes beyond the completion of Royal Assent? Her Excellency would welcome the opportunity to greet each senator individually. It would be a short period of time, and we would have a five-minute bell.

Hon. Senators: Agreed.

The Hon. the Speaker: I shall leave the chair.

The Senate adjourned during pleasure.

• (1700)

[*Translation*]

ROYAL ASSENT

Her Excellency the Governor General of Canada having come and being seated on the Throne, and the House of Commons having been summoned, and being come with their Speaker, Her Excellency the Governor General was pleased to give the Royal Assent to the following bill:

An Act to amend An Act to amend the Canada Elections Act and the Income Tax Act (*Bill C-4, Chapter 1, 2006*)

The Honourable Peter Milliken, the Speaker of the House of Commons, addressed Her Excellency the Governor General as follows:

May it please Your Honour.

The Commons of Canada have voted certain supplies required to enable the Government to defray the expenses of the public service.

[Senator Hervieux-Payette]

In the name of the Commons, I present to Your Honour the following bill:

An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007 (*Bill C-8, Chapter 2, 2006*)

To which bill I humbly request Your Honour's assent.

Her Excellency the Governor General was pleased to give the Royal Assent to the said bill.

The House of Commons withdrew.

Her Excellency the Governor General was pleased to retire.

The sitting was resumed.

• (1740)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

COMMITTEE AUTHORIZED TO STUDY PROCEDURE FOR REINTRODUCING BILLS FROM PREVIOUS PARLIAMENT

On the Order:

That the Standing Committee on Rules, Procedures and the Rights of Parliament study and make the necessary recommendations on the advisability of amending Senate practice so that bills tabled during a parliamentary session can be reintroduced at the same procedural stage in the following parliamentary session, with a view to including in the *Rules of the Senate*, a procedure that already exists in the House of Commons and would increase the efficiency of our parliamentary process; and

That the committee report to the Senate no later than June 8, 2006.

Hon. Céline Hervieux-Payette: Honourable senators, if I may, I would like to resume my speech at the point where the sitting was adjourned.

As you know, we are still at the beginning of a new session and that is why it is essential that we find an appropriate way to focus on other issues. Canadians have a right to receive satisfactory answers. It is time for a change in terms of the Senate's reputation, the efficiency of parliamentary work, and our responsibility to Canadians.

As such, out of respect for honourable senators, for Canadian citizens, for the experts who appear before committees and for all of the people who do the research, we should adopt this motion. In doing so, we will demonstrate our value as legislators as well as the value of our legislation.

I move that we refer this motion to the Standing Committee on Rules, Procedures and the Rights of Parliament.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO STUDY CONTAINERIZED FREIGHT TRAFFIC

Hon. Lise Bacon, pursuant to notice of May 9, 2006, moved:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on current and potential future containerized freight traffic handled at, and major inbound and outbound markets served by, Canada's

- i) Pacific Gateway container ports
- ii) east coast container ports and
- iii) central container ports

and current and appropriate future policies relating thereto.

That the Committee submit its final report no later than March 31, 2007.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, as usual, I would like to ask the chair of the Standing Senate Committee on Transport and Communications why this study should be done and what would it entail?

[English]

Senator Bacon: Honourable senators, I asked Senator Tkachuk, who is the deputy chairman of the committee, to give the explanation, but he left me his notes, which I have in front of me.

Containerization is regarded by some as the most significant shipping innovation of the 21st century. Container technology dramatically lowered the costs of transporting goods over great distances, facilitating the globalization of supply chains and the realization of benefits from trade liberalization.

While containerization has been streamlining logistics since the 1950s, it continues to evolve and stimulate trade. Growth in containerized freight traffic outpaced economic growth in North America over the last decade and there is every indication that growth in the volume of containerized freight will continue.

The Senate of Canada needs to conduct a study of containerized freight traffic flowing through our ports and across our country because, without timely analysis and vision, a significant economic opportunity could pass us by.

The volume of containerized freight in Canada is expected to double, some say even triple, by 2015, and before that happens we need to understand where containers using our ports are coming

from, where containers go when they leave our ports, whether our transportation system will be able to handle the anticipated growth in the containerized traffic; and, most important, our communities across Canada can take part and add value to the logistics chain.

The infrastructure investment that may be needed to make the most of this opportunity will take considerable time and planning to realize, so the sooner we analyze the situation, the better.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON VETERANS' SERVICES AND BENEFITS, COMMEMORATIVE ACTIVITIES AND CHARTER

Hon. Joseph A. Day, for Senator Meighen, pursuant to notice of May 9, 2006, moved:

That the Standing Senate Committee on National Security and Defence be authorized to undertake a study on:

(a) the services and benefits provided to members of the Canadian Forces, veterans of war and peacekeeping missions and members of their families in recognition of their services to Canada, in particular examining:

- access to priority beds for veterans in community hospitals;
- availability of alternative housing and enhanced home care;
- standardization of services throughout Canada;
- monitoring and accreditation of long term-care facilities;

(b) the commemorative activities undertaken by the Department of Veterans Affairs to keep alive for all Canadians the memory of the veterans' achievements and sacrifices;

(c) the implementation of the recently enacted Veterans Charter;

That the papers and evidence received and taken during the First Session of the Thirty-eighth Parliament be referred to the Committee; and

That the Committee report to the Senate from time to time, no later than June 30, 2007.

He said: Honourable senators, this is the reference for the Subcommittee on Veterans Affairs. It is substantially the same reference as in the previous Parliament, except that honourable senators will know that the Veterans Charter has now been enacted. We are proposing in subsection (c) to follow the implementation of the Veterans Charter. Apart from that, this reference is substantially the same as the previous one. We wish to continue that work.

The Hon. the Speaker: Honourable senators, is there further debate?

Are honourable senators ready for the question?

Hon. Marcel Prud'homme: Has there been any evaluation of the budget that would be required for this study? Such a budget would have to go through the Standing Committee on Internal Economy, Budgets and Administration. It is not that I am opposed to it, but, from now on, as far as I am concerned, as at the United Nations now, we have to evaluate items. It used to be a wish and then after that there were budgets that became unlimited. This is just to have some discipline. If the reference is the same, that is okay. I want to know, because it is a good cause, it is okay, it is perfect. However, each committee that requires a study should come with a feasibility study with a dollar amount attached to it as much as possible as to what it will cost.

Senator Day: I thank the honourable senator for his question. That is the chicken and egg question. It is always difficult for us to know what it will cost until we know what we are entitled to do. However, as the honourable senator will recall, our former colleague Senator Lynch-Staunton brought this issue before us on many occasions. The committee has not at this stage set down specific items that it wishes to study from this reference, other than visiting hospitals to determine if the priority beds for veterans are being properly attended to. They are the specific

items that appear in the motion. From that, we may get another more specific reference that we may have to come back to the Senate to request direction on.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to.

• (1750)

[Translation]

ADJOURNMENT

Leave having been given to revert to Government Notices of Motions:

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, May 16, 2006, at 2 p.m.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, May 16, 2006, at 2 p.m.

THE SENATE OF CANADA

PROGRESS OF LEGISLATION

(indicates the status of a bill by showing the date on which each stage has been completed)
(1st Session, 39th Parliament)

Thursday, May 11, 2006

(*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25	06/05/04	Social Affairs, Science and Technology					
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25							

GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-4	An Act to amend the Canada Elections Act and the Income Tax Act	06/05/02	06/05/03	Legal and Constitutional Affairs	06/05/04	0	06/05/09	06/05/11	1/06
C-8	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007 (<i>Appropriation Act No. 1, 2006-2007</i>)	06/05/04	06/05/09	—	—	—	06/05/10	06/05/11	2/06

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05							
S-202	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	06/04/05							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 ^d	R.A.	Chap.
S-203	An Act to amend the Public Service Employment Act (priority for appointment for veterans) (Sen. Downe)	06/04/05							
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	06/04/05							
S-205	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	06/04/05							
S-206	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	06/04/05							
S-207	An Act to amend the Criminal Code (protection of children) (Sen. Herveux-Payette, P.C.)	06/04/05							
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	06/04/06							
S-209	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	06/04/25							
S-210	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	06/04/25							
S-211	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	06/04/25	06/05/10	Social Affairs, Science and Technology					
S-212	An Act to amend the Income Tax Act (tax relief) (Sen. Austin, P.C.)	06/04/26	Bill withdrawn pursuant to Speaker's Ruling 06/05/11						
S-213	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	06/04/26							

PRIVATE BILLS

[illegible]

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CANADA

Debates of the Senate

1st SESSION

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39th PARLIAMENT

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VOLUME 143

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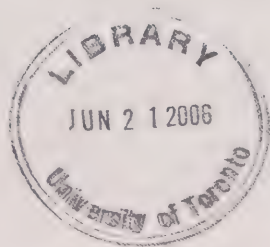
NUMBER 14

OFFICIAL REPORT
(HANSARD)

Tuesday, May 16, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER



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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Tuesday, May 16, 2006

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

COLORECTAL CANCER

Hon. Wilbert J. Keon: Honourable senators, this morning the Colorectal Cancer Association of Canada held its second annual parliamentary breakfast to raise awareness of this disease.

Colorectal cancer is the third most common form of cancer in Canada now, next to lung and breast cancers. This year, about 20,000 Canadians will be told they have the disease, and about 8,500 will die from it. Here is the sad news: Most of them did not have to die. The disease is highly treatable if caught early and can be preventable if people follow a healthy diet, exercise and are screened.

This type of cancer usually develops from polyps in the colon, which can be detected with screening tests. The polyps are removed and the patient is cured. Several screening procedures are available and the family doctor can explain what is available. Everyone should avail themselves of these tests, especially those people over the age of 50.

Colonoscopy provides the greatest accuracy and knowledge. It is referred to as the gold standard test to prevent colorectal cancer.

Most patients have no symptoms or warnings of the disease and therefore are dependent on screening. Of particular concern to those of us in this chamber are those over 50 years of age; they have a much higher risk of developing the disease. Thus, I urge Canadians to take the initiative and have themselves screened for colorectal cancer. Why risk dying from a preventable disease?

• (1410)

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

RESOLUTION ON NORTH AMERICAN ENERGY STRATEGY

Hon. Jeremiah S. Grafstein: Honourable senators, the forty-seventh annual meeting of the Canada-United States Inter-Parliamentary Group, held in Charleston, South Carolina, from May 5 to 8, 2006, was one of the most productive in substance and bilateral action. Let me draw your attention to one of the many resolutions critical to our shared continent's economic productivity and growth — a North American energy strategy.

I quote from our joint resolution:

Delegates recognize that a cooperative approach to develop a North American Energy Strategy is critical. Our future energy security will depend on the development and implementation of new technologies. The transfer of this technology globally will deal with the global problem of air pollution and climate change. Both countries should be encouraged to become world leaders in: conservation; carbon dioxide capture and sequestration; coal gasification; efficient use of fossil fuels; and development and implementation of a wide variety of alternative energy sources.

We go on propose that both the Canadian and U.S. governments, as well as federal legislators in both countries, undertake the following actions on an expedited basis — and let me just point out one:

...develop an energy security plan by which, within a decade, North American Free Trade Agreement (NAFTA) partners will be self-sufficient. This plan should focus on both renewable and non-renewable energy sources, and should contemplate minimum standards for renewable energy.

Our American colleagues referred to their initiatives as "10 by 2010" — 10 per cent renewable energy by 2010 — and "25 by 2025" — 25 per cent renewable energy by 2025. Hopefully, committees of the Senate will consider this work crucial to our future as soon as possible.

FORTY-SEVENTH ANNUAL MEETING

Hon. Anne C. Cools: Honourable senators, I wish to join Senator Grafstein in saying a few words on the Canada-United States Inter-Parliamentary Group meeting held from May 5 to 8, 2006, in Charleston, South Carolina.

I begin by thanking Senator Grafstein and Senator Angus for their great commitment and the hard work they have been doing on this important matter of Canada-United States relations. I would like to record my pleasure and satisfaction in attending this particular meeting I found extremely relevant and pertinent in respect of the issues raised and debated.

I also wish to place on the record one of our resolutions that caught my attention, and in which debate I participated. I am referring to the resolution concerning reform of the United Nations. It states:

Delegates support and urge a policy of aggressive reform of the United Nations that would include: its current mandate; its financing and administration; and its governance issues, including the role of the Security Council, the criteria for its choice and the role of the Office of the Secretary General. Such reform should establish timelines, standards of measurable results and a fixed periodic review.

Honourable senators, I have not attended many of these meetings but, as I said before, this one was especially important to me. It was important, not only because of the historical, long-time relationship between Canada and the United States, but also because this meeting took place in Charleston, the centre of the antebellum South. Of particular importance to me is the fact that Charleston was founded by Barbadians. It may not be known to many senators here, but Barbadians, royalists and aristocrats, — who moved from Barbados, where I was born, to settle Charleston in the 1670s. They introduced to Charleston the phenomena of sugar cultivation, the sugar plantation and much of the political and social infrastructure that was to found the life and culture of this part of the U.S. South.

I was touched, honourable senators, by the deep concern among individual delegates for Canadian sensibilities in respect to border issues. I thought it was remarkable that these members from the U.S. Senate and the House of Representatives paid a lot of attention to these border issues. I was also moved by the fact that they were also concerned by what we call healthy relations between Canada and the United States and that they had been somewhat disturbed about certain distasteful statements made by particular Canadian members of Parliament in past years.

I thank Senator Grafstein again for a very successful meeting, for extremely wonderful events. There is something to be said for southern hospitality and southern food. Being in that plantation community and seeing some of the vestiges of those great plantations was reminiscent of my upbringing on the little island of Barbados, which contributed much to the U.S.A.

• (1415)

RESOLUTION TO ESTABLISH JOINT COMMITTEE
TO STUDY LONG-TERM TRADE DISPUTE
RESOLUTION MECHANISM

Hon. Ross Fitzpatrick: As all honourable senators know, the Government of Canada has announced a framework agreement to settle the current softwood lumber dispute with the United States. We are now waiting anxiously to see the complete agreement as the devil is so often in the details. Settling the current dispute fairly is critical to the industry, but we need to find a viable, long-term and efficient dispute resolution process. Differences will arise again and, when they do, it is imperative that we have a method of resolution in place that is fair, predictable and expeditious. In that regard, I am pleased to report that at the recent meeting of the Canada-U.S. Inter-Parliamentary Committee in Charleston, South Carolina, chaired by Senator Grafstein and attended by Senators Angus, Cools, Austin, Mahovlich, Mercer and myself, it was resolved by the representatives of both countries that a joint committee of our legislative bodies be created to work toward recommendations for a fair, long-term trade dispute resolution mechanism and urge our governments to act well before the next dispute arises.

Honourable senators, this is a unique and constructive approach. I believe it is the first such resolution ever adopted by members of the Congress of the United States and members of the Parliament of Canada to establish an international committee of legislators to deal with a trade issue. It is my fervent hope that by working in the spirit of cooperation and friendship that was represented in Charleston, our respective governments will heed

our recommendations and expeditiously implement an efficient, long-term dispute resolution mechanism to provide for a fair trade settlement process for softwood lumber in the future.

VISITORS IN THE GALLERY

The Hon. the Speaker: I interrupt Senators' Statements to draw the attention of honourable senators to the presence in the gallery of a distinguished delegation of Russian parliamentarians from the Federation Council Commission of Internal Economy: Vladimir Fedorovich Kulakov, delegation Head and FCC Chairman; Levon Horenovich Chakhmakhchyan, FCC member; Mikhail Mihailovich Kapura, FCC member; Evgeny Yakovlevich Kirillov, Head, FCC Finance Department; Igor Vladimirovich Seregin, FCC Counsellor; and commission officials. On behalf of all honourable senators, I extend a warm welcome to our visitors from Russia.

THE LATE JUSTICE WILLIAM J. HENDERSON, OBE

Hon. Hugh Segal: Honourable senators, I rise today to pay tribute to the Honourable William J. Henderson, a three-term Member of Parliament for Kingston and the Islands, a former Ontario Supreme Court Justice, a former President of the Ontario Liberal Association, a renowned philanthropist, an advisor to politicians and a decorated war veteran who died yesterday morning in Kingston General Hospital at the age of 89. The man that many people in Kingston simply called "The Judge" was the son of a farmer. He arrived alone in Kingston at the age of five, having been put on a train in Alberta to come east to live with relatives until his parents arrived.

Judge Henderson graduated from Queen's University in 1938, attended Osgoode Law School and was called to the bar in 1942. He enlisted in the Canadian Forces in 1939, transferred to the Royal Canadian Corps of Signallers in 1942. He served in England, Italy, France, Belgium, Germany and Holland as an intelligence officer. He was injured in the war, underwent extensive surgery and was discharged in 1946, but served in the Canadian Army Reserves until 1952. Among his numerous honours, The Judge was most proud of those associated with military service. He received the Order of the British Empire for overseeing the reconstitution of a judicial system in Holland after the Second World War. While his official service ended in 1952, his loyalty to the military did not end.

• (1420)

Years after he left the forces, Judge Henderson, by then a member of the provincial legislature, fought for veterans, fought for the legion, and fought for the armed forces. In the 1990s, he supported the Royal Canadian Legion's appeal for pension increases, and he was the moving force behind the Military Communications and Electronics Museum, Canadian Forces Base Kingston, paying tribute to our signallers, who have served freedom, Canada and our armed forces for so long.

Honourable senators, when John Diefenbaker visited Kingston in 1970, he pointed out, as he was speaking at Sir John A. Macdonald's grave, that this particular Henderson family owned a plot right next to Sir John A. Macdonald's. He said to Bill Henderson, "I would like to buy part of that plot for when my time comes."

Bill Henderson said, "Why would I sell it to you? I only have to rent it to you for three days."

Mr. Diefenbaker turned on his heel and walked away. Yes, my friends, Bill Henderson was a Liberal, but he was a Louis St. Laurent and Mike Pearson Liberal, the kind that balanced nationalism and realism, and economic justice and economic progress. Even this unreconstituted Tory stands in admiration for the service he gave our country, our city, our armed forces and our future. God rest his soul.

[Translation]

RAINWATER RECOVERY

Hon. Madeleine Plamondon: Honourable senators, I would like to draw to your attention a potentially inspiring rainwater recovery initiative being discussed in France as part of proposed water legislation.

The purpose of this initiative is to grant a tax credit equal to 40 per cent of the cost of equipment needed to recycle rainwater and use it for facilities that do not require drinking water, such as toilets, washing machines, and outdoor faucets for watering lawns or washing cars.

In France, only 8,000 homes have rainwater recovery systems, compared to 100,000 homes in Germany.

It is true that rainwater must be treated for use in washing machines. When it comes out of the eavestrough, it must go through a purification system. A pump then moves the rainwater into a concrete cistern where lime neutralizes its natural acidity. Honourable senators, people have been recovering rainwater since antiquity.

According to calculations, 100 square metres of rooftop in France can collect about 60,000 litres of water per year, which is about half of what a family of four needs. In Canada, every Canadian consumes an average of 335 litres per day, which adds up to more than 122,000 litres per year, or twice the consumption of a family of four in France.

The forecast is for a hot, dry summer. Citizens will be asked to avoid using drinking water where rainwater could be used instead.

We do not have to make major investments or install filtration systems to encourage rainwater recovery. We all have a roof. Industries and farm operations, which have big buildings, could use rainwater.

Every Canadian must do what he or she can to conserve drinking water for specific uses. Provinces that experience droughts, like Alberta, are making an effort.

[English]

A report on storm water use in the city of Calgary shows that for some time urban development has to take into account the use of storm water. Whether it is done on a small scale or by a large city, we all have to make an effort.

[Translation]

Drinking water must become a basic human right in Canada, but using drinking water for other purposes is an individual responsibility.

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I draw your attention to the presence in the gallery of a class of students from the Glebe Collegiate Institute of Ottawa. They are accompanied by their teacher, Mr. Gordon Hamilton Southam. They are guests of the Honourable Senator Marcel Prud'homme.

On behalf of all honourable senators, I welcome you to the Senate of Canada.

• (1425)

[Translation]

ROUTINE PROCEEDINGS

AUDITOR GENERAL

MAY 2006 REPORT TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the first Report of the Auditor General of Canada for the year 2006 with an addendum on Environmental Petitions (1 July 2005—3 January 2006).

BUSINESS OF THE SENATE

ADJOURNMENT AND ADDRESS TO PARLIAMENT OF PRIME MINISTER OF AUSTRALIA PRINTED AS APPENDIX—NOTICE OF MOTION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That at 2:30 p.m. Thursday, May 18, 2006, if the business of the Senate has not been completed, the Speaker shall interrupt the proceedings to adjourn the Senate;

That should a vote be deferred until 5:30 p.m. on Thursday, May 18, 2006, the Speaker shall interrupt the proceedings at 2:30 p.m. to suspend the sitting until 5:30 p.m. for the taking of the deferred vote;

That the Address of the Prime Minister of Australia, to be delivered in the Chamber of the House of Commons at 3:00 p.m. that day before Members of the Senate and the House of Commons, together with all introductory and related remarks, be printed as an Appendix to the *Debates of the Senate* of that day, and form part of the permanent records of this House; and

That when the Senate adjourns on Thursday, May 18, 2006, it do stand adjourned until Tuesday, May 30, 2006, at 2:00 p.m.

THE SENATE

NOTICE OF MOTION TO CONGRATULATE HER MAJESTY QUEEN ELIZABETH II ON EIGHTIETH BIRTHDAY

Hon. Gerald. J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, in two days, I will move:

That the Senate send an Address to Her Majesty Queen Elizabeth the Second, expressing the heartiest good wishes and congratulations of all Senators on the occasion of her eightieth birthday.

[English]

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY SPECIFIC CLAIMS PROCESS

Hon. Gerry St. Germain: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Aboriginal Peoples, in accordance with rule 86(1)(q) of the Senate, be authorized to examine and report on the general concerns of First Nations in Canada related to the federal Specific Claims process, the nature and status of the Government of Canada's Specific Claims policy, the present administration of the policy, the status of the Indian Specific Claims Commission, and other relevant matters with a view to making recommendations to contribute to the timely and satisfactory resolution of First Nations' grievances arising out of both their treaties with the federal Crown and the Government of Canada's administration of their lands, monies, and other affairs under the *Indian Act*.

That the Committee report to the Senate from time to time, but no later than June 14, 2007 and that the Committee retain until September 1, 2007, all powers necessary to publicize its findings.

[Translation]

NATIONAL FINANCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO RECEIVE PAPERS AND EVIDENCE ON STUDY OF MAIN ESTIMATES, 2005-06 IN THIRTY-EIGHTH PARLIAMENT

Hon. Joseph A. Day: Honourable senators, I give notice that at the next sitting of the Senate I shall move:

That the papers and evidence received and taken and the work accomplished by the Standing Senate Committee on National Finance during the First Session of the

Thirty-Eighth Parliament as part of its study of the Estimates for the fiscal year ending March 31, 2006 be referred to the Committee for the purposes of its study of the Estimates for the fiscal year ending March 31, 2007, as authorized by the Senate on Wednesday, April 26, 2006.

• (1430)

ANTI-TERRORISM ACT

NOTICE OF MOTION TO AUTHORIZE SPECIAL COMMITTEE TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Pierre Claude Nolin: Honourable senators, I give notice that, at the next sitting of the Senate, the Honourable Senator Smith will move:

That the Special Senate Committee on the Anti-terrorism Act be empowered, in accordance with Rule 95(3), to meet on Monday, May 29, 2006, even though the Senate may then be adjourned for a period exceeding one week.

THE SENATE

NOTICE OF MOTION TO URGE GOVERNMENT TO PROMOTE SMOKE-FREE WORKPLACES AND PUBLIC AREAS

Hon. Mac Harb: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Senate takes note that tobacco smoking continues to cause an estimated 45,000 Canadian deaths and to cost our economy up to \$15 billion each year;

That the Senate notes that current federal legislation allows for ventilation options and smoking rooms in workplaces under federal jurisdiction even though they do not provide full protection from second-hand smoke and that full protection from second-hand smoke can only be achieved through the creation of workplaces and public places that are completely free of tobacco smoke;

That the Senate urges the Government of Canada to pass legislation to ensure that all enclosed workplaces and public places under its jurisdiction are smoke-free;

That the Senate ask the Government of Canada to call upon each province and territory that has not yet done so to enact comprehensive smoke-free legislation; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

[English]

QUESTION PERIOD

THE ENVIRONMENT

CUTTING OF ENERGUIDE PROGRAM

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, my question is addressed to the Leader of the Government in the Senate and concerns a matter I first raised on May 4. At that time I put questions to the minister on the government's lack of an environment policy — apart from cutting programs — as it searches for what we are told is to be a made-in-Canada plan or solution.

This issue has been much in the news, which is what prompts me to return to it. One of the cuts is the “made-in-Canada” EnerGuide Program, which was established some time ago. Under the terms of the program, the government worked closely with the business community and homeowners to encourage the efficient use of energy resources.

How can the elimination of this made-in-Canada program, popular and useful to countless Canadians, make sense when the government claims it is searching for just such a program? In light of what I interpret as a strong public reaction, will the government reconsider its decision to end the program?

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Hays for his question.

The EnerGuide Program was a plan of the previous government which saw 50 cents of each dollar go to inspections and administration, money that never reached the homeowner. Our government is committed to achieving results and ensuring that taxpayers receive value for their money instead of spending tax dollars on administrative costs. Canadians need real environmental benefits.

The honourable senator is quite right when he says that as of May 12, 2006, no new applications will be accepted for the EnerGuide Program. Property owners who have had a pre-retrofit evaluation performed prior to this date can have a post-retrofit evaluation and still qualify for a grant until March 31, 2007, subject to the availability of funding.

• (1435)

Senator Hays: Honourable senators, this morning I heard Clifford Maynes' radio interview. Mr. Maynes is with the organization that has responsibility for part of this program, and during his interview he contradicted the figure of 50 per cent quoted by the Leader of the Government. He indicated that the administrative costs were 11 per cent of every dollar and said that subsequent inspections may well have used up an additional percentage of the dollar spent on the program. That is

understandable in that we must be assured that the activities under the program actually achieve the energy savings that it was designed to achieve.

Is the information I heard from Mr. Maynes correct?

I am pleased to hear that the government will recognize the programs that are in the process of completion.

KYOTO PROTOCOL—ALTERNATIVE PROGRAM

Hon. Daniel Hays (Leader of the Opposition): My second question on the environment comes from a statement made by the Director of the Climate Change Program of the World Wildlife Fund, Jennifer Morgan. In the context of Canada holding the chair until the next conference of the parties in the Kyoto accord process, Ms. Morgan said that the international reputation of Canada is currently at stake.

When will we have a program? The cost of not having a program is very high in terms of lost benefit from a program. The cost is also very high in terms of Canada's international reputation. It puts the government and the ministers involved on the spot. The last time I asked about this, the Leader of the Government in the Senate said something very general, such as “stay tuned.” It is now time for a more precise answer.

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Hays for that question. I will have to get the transcript of that radio program and I will seek to ascertain the facts regarding whether it is indeed 50 per cent or 11 per cent for administrative costs.

I also read Ms. Morgan's comments. It is clear, as the Prime Minister has said, that the government will be seized of this very important issue very soon. The honourable senator can expect some very substantive policies from the government in the not-too-distant future.

In the meantime, Canada will continue to help shape global dialogue on long-term international cooperation on climate change in a way that advances our country's interests and delivers meaningful results for Canadians. Our plan will focus on cleaning up the environment, not on more administrative costs.

I hasten to add that the previous government missed its Kyoto targets by 35 per cent. Canadians want action on this issue, not ever-changing platitudes.

As chair of the United Nations Convention on Climate Change for 2006, Canada will work with other countries to help advance a more transformative long-term approach to tackling climate change. We will be open to other options for regional and international collaboration in reducing greenhouse gas emissions.

• (1440)

Senator Hays: Honourable senators, the Minister of the Environment acknowledges that Canada will inevitably have to engage in the Kyoto process if we are to address this international problem. Canada is responsible for 2 per cent of the world's greenhouse gas emissions, so a made-in-Canada approach to deal with our emissions, while essential, will not solve the global

problem. I ask the minister to please reconfirm this: The heart of the Kyoto process is the clean development mechanism, joint implementation and trading, all of which anticipate — and the minister used language hinting at this — that how we make the most important contribution is by engaging the world, not only by being a good example, but by participating in this multilateral approach.

Can the minister confirm that we are still, as the website of Environment Canada says, an enthusiastic adherent to the Kyoto Protocol, none of which matches the current policy position of the government?

Senator LeBreton: The minister has stated many times that the Kyoto objectives are laudable. The problem is that we have not been able to meet those objectives, and there is no possible way Canada can meet the objectives. I totally agree that it is a worldwide problem. However, I hasten to point out again that India, China and the United States are not part of the Kyoto accord.

The minister will attempt to work within the world community, but will be realistic as to what Canada can do. The minister will work on a made-in-Canada solution to contribute to the climate change problem and will not get into the topic of trading for credits. Rather, the minister will propose real solutions for real environmental problems.

CUTTING OF ENERGUIDE PROGRAM

Hon. Mira Spivak: I have a supplementary question.

Since the EnerGuide Program is important in Manitoba, and Manitoba Hydro participates in the program, I want to know the government's definition of "administrative costs?"

Part of the administration is to carry out an inspection pre-retrofit and an inspection post-retrofit. What percentage of what you classify as "administrative costs" is pre-retrofit inspection and post-retrofit inspection. These inspections are essential to the whole system of making houses and offices more efficient, which saves a lot of money and is in line with what the government may want to do in terms of efficient administration.

Hon. Marjory LeBreton (Leader of the Government): As I indicated to Senator Hays, I will endeavour to provide information as quickly as possible as to the breakdown of the 50 cents on the dollar figure for pre- and post-retrofit costs.

Hon. Madeleine Plamondon: Is the government scrapping the EnerGuide program, which I believe is a very good program, simply because it thinks it costs 50 per cent? I am in agreement with Senator Spivak. How do you decide that part of the 50 per cent administration; is it not like the law you want to pass on accountability?

If the government is to ensure that the money is spent wisely, it should be in accord with what Mr. Harper said. One must check how the money is spent. Administrative costs are one thing, but knowing how the money is spent is another thing.

[Senator Hays]

• (1445)

The honourable leader says that the government will scrap the 50 per cent that goes to the consumer. With what will the government be replacing this program, and how will it be more efficient than EnerGuide?

Senator LeBreton: Honourable senators, the information that I have is that 50 cents on the dollar went into administrative costs and did not go to the homeowner and, therefore, into making homes more energy efficient.

I will endeavour, as I said to Senator Spivak and Senator Hays, to ask for a complete breakdown as to where the 50 cents actually goes.

I am confirming that the EnerGuide Program was cancelled as of May 12. The Minister of the Environment and the government will be announcing, in due course, our own made-in-Canada environmental plan.

KYOTO PROTOCOL—ALTERNATIVE PROGRAM

Hon. Tommy Banks: Honourable senators, my question is to the Leader of the Government, who has often referred, as have other members of her ministry, to a made-in-Canada solution. My understanding is that every one of the objectives under Canada's commitment to Kyoto was arrived at by the Government of Canada. Which part of the present Kyoto commitments are not made in Canada?

Hon. Marjory LeBreton (Leader of the Government): That is an interesting question. When the Canadian public sees credits being exchanged with Russia, for instance, they have a hard time understanding how that will improve the quality of air in this country.

In any event, I will attempt to refer that question to the environment officials and respond with a delayed answer.

INTERNATIONAL TRADE

SOFTWOOD LUMBER AGREEMENT— VETTING CHANGES IN POLICY WITH UNITED STATES

Hon. Pierrette Ringuette: Honourable senators, my question is for the Leader of the Government in the Senate. Following a media interview of Minister Emerson in Vancouver, an article in the *Winnipeg Free Press* on Saturday, May 13 stated:

Provincial governments will be expected to vet any forest policy changes through Washington under the terms of the new softwood lumber agreement', International Trade Minister David Emerson said yesterday.

Senator Mercer: Made in Canada.

Senator Ringuette: How can this government give up sovereignty over the management of our natural resources?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question and will take it as notice.

SOFTWOOD LUMBER AGREEMENT— REQUEST FOR TABLING

Hon. Pierrette Ringuette: Honourable senators, the article further states that Ottawa has indicated that it wants a June 15 signing date. The government leader said last week that the issue was behind us, while in reality it is right in front of us.

This is the second time that I ask: Will the Leader of the Government in the Senate table in this house the potential softwood lumber agreement, thereby putting a dent in this culture of secrecy, and refer this document to the Standing Senate Committee on Banking, Trade and Commerce for further study?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I will say for the second time, in answer to Senator Ringuette, that I will take the question as notice.

THE SENATE

AFGHANISTAN—DEBATE ON EXTENDING MISSION

Hon. Art Eggleton: Honourable senators, I note that the government has decided to put the issue of extending the Afghanistan military mission before the House of Commons for a vote.

• (1450)

I would like to ask the Leader of the Government in the Senate whether the government plans to allow this chamber to debate the same question as well. Will she put this matter before the Senate?

Hon. Marjory LeBreton (Leader of the Government): As the honourable senator knows, the opposition leaders in the other place have all agreed to hold a debate and vote on a motion to support the government's two-year extension of Canada's diplomatic development and the presence of civilian police and military personnel in Afghanistan.

Insofar as the Senate is concerned, it is a matter of someone putting the motion. I personally have no problem with participating in such a debate. I am sure that most honourable senators on both sides of the chamber fully support the decision of the previous government to engage in the Afghanistan theatre. I am open to suggestions.

NATIONAL DEFENCE

DARFUR, SUDAN—DEPLOYMENT OF TROOPS

Hon. Art Eggleton: Honourable senators as former Minister of Defence I was involved in sending the first mission to Afghanistan.

The minister gave a curious answer. I would have thought a clear "yes" would have been the answer. If the government has respect for this chamber, why would it not put it before this chamber as well? The honourable Senator LeBreton is the Leader of the Government here and I should think she would do that.

I want to follow that comment with a concern about the extension of troops into Afghanistan. I am concerned that it does not become an excuse for not sending troops to Darfur, if we need to send them. I heard the Minister of Defence say that we do not have the troops, although during my time as the Minister of Defence, there were at least two occasions where we went over 4,000 troops. — I am not advocating we do that and I will admit that they were stretched into too many theatres of operation around the world. However, we needed to do that to help save lives.

This is also a question of saving lives. Can we not find 600 to 700 troops for this mission? That would bring the number up to 3,000, which is still far less than those two times we went over 4,000.

I know we are doing other things there. The past government did and the current government is, but the fact is the African Union troops are not able to do the job. I know there is a peace agreement, but we have seen a lot of peace agreements in Africa go by the boards. People's lives are being threatened day in and day out. Why can we not find the troops? Are we using this extension as an excuse not to send troops to Darfur?

Hon. Marjory LeBreton (Leader of the Government): That is absolutely not true. We have a serious commitment to Afghanistan, and no one is suggesting that anyone in the government would for one moment turn his or her back on the situation in Darfur.

At the moment, as the honourable senator knows, Canada continues to support and has supported in many ways the important contingency planning work being done by the United Nations as part of the transition to a UN-led peacekeeping mission in Darfur from the current African Union force, which the honourable senator has described as not having great success.

During this process, it is important that the international community continue to support the African Union until responsibility is transferred to the United Nations. The recently signed Darfur Peace Agreement is an important step forward, as both the African Union and the United Nations work together to prepare for the handover to a UN-led peacekeeping mission in Darfur. We have not had a formal request, as far as I know. Allan Rock, Ambassador to the United Nations, is playing an important role at the moment. We are watching this situation carefully and preparing to move when the transfer to the UN has taken place and there is a request for what we can reasonably do in Darfur.

• (1455)

Senator Eggleton: Notwithstanding the comment that the Minister of Defence made a week or so ago, is the government still open to the possibility of sending Canadian troops into Darfur as part of a United Nations mission for peace support options?

Senator LeBreton: There was no contradiction with what the Minister of Defence said. He was referring to a large-scale force like we have presently in Afghanistan. There was never any suggestion by the minister that we would not be willing, when the transfer process was over and complete, to participate in Darfur as part of a United Nations-led peacekeeping force.

[Translation]

JUSTICE

RIGHT TO ABORTION

Hon. Lucie Pépin: Honourable senators, my question is for the Leader of the Government in the Senate. The Conservative Party has come out in favour of reopening the debate on women's right to abortion. The right to terminate pregnancy has made a significant, positive change in women's role in society. Questioning that right is an outmoded debate that means undoing years of collective effort.

Could the Leader of the Government tell us what the Conservative government's current position is on women's right to abortion?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, at the beginning of Senator Pepin's question, she said something to the effect that we intend to open this question. That is incorrect. The Conservative government has no plans to change our laws on the issue of abortion.

[Translation]

Senator Pépin: Honourable senators, in January 2006, during the election campaign, party president Don Plett promised that a backbencher would introduce a private member's bill to restrict the right to abortion.

In addition, there are Conservative members like Maurice Vellacott and Garry Breitkreuz who have spoken out against abortion for years and even introduced anti-abortion bills.

Can the leader tell us whether her government is prepared to protect women's right to abortion?

[English]

Senator LeBreton: The only private member's bills that have ever been tabled in the other place, or at least in the last Parliament, were by Liberal members of Parliament.

Abortion is a very personal issue. Some people are pro-choice, like myself, and others are not. They can be found in all political parties. I will have to go back to Hansard and read how the Liberal government handled the private member's bills on abortion sponsored by their own members.

[Translation]

Senator Pépin: I would just like to remind the leader that last week, a huge pro-life rally took place. And Conservative members were there.

Look in the *House of Commons Debates* and you will find their anti-abortion bill.

Senator St. Germain: There were also Liberals at the rally. I was there.

[English]

Senator LeBreton: I saw the rally going on outside the window. I did not see much coverage of it on the news other than that Liberal and Conservative members were there, as is their right in a free country.

PUBLIC SAFETY

FIREARMS CENTRE— CUTTING OF LONG GUN REGISTRY

Hon. Lorna Milne: Honourable senators, my question is for the Leader of the Government in the Senate. In the Speech from the Throne, this government made a commitment to keeping the lives of Canadians and their families safe and secure. In fact, the speech stated that the streets and communities are increasingly under the threat of gun, gang and drug violence. It also proposed tougher sentences for offenders involved in weapons-related crimes.

• (1500)

Given this apparent commitment to protecting Canadians, why on earth would this government be considering dismantling a system that police officers across the country use 5,000 times each and every day — for their own protection and other things — the Canadian firearms registry? Is this government more concerned with appealing to its support base than it is to the promotion of safety for our peace officers?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, the issue here is the long-gun registry, not gun control. I hasten to point out that the strictest gun control laws brought into this country were by a Conservative government, the R.B. Bennett government, in 1934, and then strengthened by a Conservative government when Kim Campbell was the Minister of Justice, in 1989, I believe. The issue is the long-gun registry and not gun control. We support strict gun control laws.

As today's Auditor General's report proves once again, the long-gun registry has not worked. When that bill came before the Senate years ago — I looked up what I had to say at the time — I said that I supported gun control, but that I would rather see the money that they were planning to spend on the long-gun registry spent on border security and homes for battered women.

Senator Milne: Honourable senators, I am sure the Leader of the Government in the Senate is aware that according to recent opinion research, more than 70 per cent of the people in Ontario and Quebec believe in retaining a gun control system — and this includes long guns. In the Prime Minister's home province of Alberta, 51 per cent agree that the registry system should be kept in place.

If the police associations and a majority of Canadians are in favour of retaining the registry, how does this government justify the elimination of this program? Is this government's desire to appeal to a specific group of Canadians more important to them than their own commitment to ensuring the lives of Canadians and their families and keeping them safe and secure?

The firearms registry works, particularly for women. The homicide rate for women killed by gunfire has fallen by 67 per cent in the years between 1991 and 2002 — rural women are killed by long guns.

If the government is committed to hiring a large number of new police officers, why take away one of the few tools that make both women and police safer?

Senator LeBreton: I want to make it very clear that the Conservative Party and the Conservative government are very supportive of gun control. The issue is the long-gun registry.

I read the poll, and I believe it was misleading because the people who conducted the poll were mixed up between the long-gun registry and the issue of gun control. The safe streets and communities part of the platform in the last election was aimed at the people who kill, threaten and do horrible things with illegal guns, which, by the way, never make it on to a registry. That is the problem that people see in their communities, the use of guns that have illegally entered the country, illegally used and that do not show up in any long-gun registry.

• (1505)

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have an answer to the oral question raised in the Senate on April 27, 2006, by Hon. Senator Tommy Banks concerning Crown Corporation exemptions from the Alternative Fuels Act, an answer to the oral question raised by Hon. Senator Rompkey in the Senate on May 4, 2006, concerning the acquisition of capital equipment and, finally, an answer to an oral question raised in the Senate on May 4, 2006, by the Honourable Senator Day concerning the clean up of Saint John harbour.

PUBLIC WORKS AND GOVERNMENT SERVICES

PRIORITY OF ENVIRONMENTAL PROGRAMS— DEPARTMENTAL AND CROWN CORPORATION EXEMPTIONS FROM ALTERNATIVE FUELS ACT

(Response to question raised by Hon. Tommy Banks on April 27, 2006)

The Treasury Board has not excluded any Crown corporation from the *Alternative Fuels Act*.

More information on the application of the Alternative Fuels Act can be found in the annual report at http://www.tbs-sct.gc.ca/tbsimScripts/topic-sujet-list_e.asp?ID=426&view=expand

NATIONAL DEFENCE

BUDGET 2006—ACQUISITION OF CAPITAL EQUIPMENT

(Response to question raised by Hon. Bill Rompkey on May 4, 2006)

Budget 2006 is exciting news for DND and the Canadian Forces. It is evidence that the Government strongly supports our men and women in uniform and recognizes the need for additional resources to pay for revitalizing the military and purchasing new equipment.

The increased funding in our budget means that we can proceed with our plan to acquire new equipment needed to support our army, navy and air force.

Over the next few months, the Minister of National Defence will be bringing a number of procurement priorities to Cabinet.

The Department of National Defence is currently evaluating options to ensure that the Canadian Forces have the right mix of naval and airlift capabilities, such as logistic support ship, strategic and tactical airlift, heavy to medium-lift helicopters, and fixed-wing search and rescue capabilities.

The cost of projects of this magnitude is spread over the useful life of the acquired asset. Accordingly, the annual budgetary amounts would only include a portion of the full capital cost of such assets. The senator can be assured that the phasing of such capital acquisition would ensure affordability.

With regard to icebreakers, the Minister of National Defence asked the Canadian Forces to look at options and to make recommendations to enhance our naval presence in the North.

As we improve our Arctic security, we will do it in a way that is both affordable and effective. The government is committed to pursuing a three-ocean navy capable of operating year round in Canadian waters, including in the North.

PRIME MINISTER

NEW BRUNSWICK— ELECTION PROMISE TO CLEAN UP SAINT JOHN HARBOUR

(Response to question raised by Hon. Joseph A. Day on May 4, 2006)

This government understands the importance of the clean-up of the Saint John Harbour and the protection of our ocean environments. This government also appreciates the importance of infrastructure to the quality of life of Canadians, which is why Budget 2006 provided \$5.5 billion in new federal funding over the next four years, including the renewal of both the Municipal Rural Infrastructure Fund and the Canada Strategic Infrastructure Fund.

The Government of Canada has already announced federal funding for the initial step in the clean-up of Saint John Harbour. This \$8.5 million project, \$2.8 million of which is provided under the federal Municipal Rural Infrastructure Fund, will lay the necessary ground work for the broader clean-up.

As result of the recent Budget announcements, we will need to talk with our partners to define how the renewed infrastructure programs, including the Canada Strategic Infrastructure Fund, will operate. The Saint John Harbour Clean Up project will be an important part of these discussions.

POINT OF ORDER

SPEAKER'S RULING

The Hon. the Speaker: Honourable senators, a point of order was raised by Senator Corbin concerning the electronic interference with the sound system caused by certain handheld cell phones and Blackberries. This is not the first time this objection has been raised. In fact, on at least 4 occasions, going back to March 9, 2005, the effect of these devices on our sound system have been the subject of complaint.

[English]

Many honourable senators contributed to the discussion on the point of order. Most concentrated on the annoying effect of the interference. A few senators expressed concerns about the propriety of using these devices at all, as it raises the question of whose words are being expressed by the senator and distracts the attention of senators from what is being discussed in the chamber. While this latter argument may have merit, I believe it is more probably addressed in a substantive way either in debate in the Senate chamber or as a study by the Standing Committee on Rules, Procedures and the Rights of Parliament, rather than as part of this ruling. On the matter of interference, created by cell phones and BlackBerries, the Rules of the Senate are explicit. Rule 19(4) stipulates that:

No person, nor any Senator, shall bring any electronic device which produces any sound, whether for personal communication or other use into the Senate Chamber, whether on the floor, inside the Bar, outside the Bar or in the galleries...

[Translation]

Speaker Hays gave a detailed ruling March 9, 2005, in which he outlined the problem, cited rule 19(4), and distributed a briefing note explaining the likely sources of the interference. The problem, however, persists. Perhaps there is still some confusion about the technical problem and the possible remedies. This may explain why this point of order keeps coming up.

My understanding is that these wireless devices use different radio frequencies, depending on which company is supporting them. The radio frequency used by certain suppliers causes

interference with our audio system. The result is the repeated buzz we have been experiencing. This problem is not unique to the Senate: the Other Place is struggling to cope with this problem as are other jurisdictions across the country. Similar devices, supplied by other service providers, have no discernable effect on the sound system. Now, as it happens, due to differences in service levels provided, it would appear that Senators have opted to subscribe with providers whose systems are incompatible with our current sound infrastructure. In the last two years, a number of Senators have switched to such suppliers; this likely accounts for some of the aggravating audio interference.

• (1510)

[English]

In response to the latest incident, Senate staff has conducted tests with different devices in this chamber, and learned that a unit receiving or sending an email or phone call can have an effect on an open microphone from as many as four seats. This means the range of potential offending devices is from 16 to 20 seats surrounding the open microphone. As a result, even though the electronic device is causing a noise, it would be difficult for me to identify without qualification the offending device and to hold its user to account.

In the course of the debate on the point of order, it was suggested that new wiring or microphones should be investigated to minimize the effect. I have received preliminary reports on this proposal, but I will leave the consideration of the feasibility of any such implementation to the appropriate body, the Standing Senate Committee on Internal Economy, Budgets and Administration.

[Translation]

In the meantime, based on the information received from staff, it would appear that shutting down these devices is the only sure way we can be certain that the rule will not be offended. While I recognize that this dependence on cell phones and Blackberries is not so easily overcome, I have asked the Table to distribute to each Honourable Senator's desk a document that details the devices that do, and do not, interfere with our sound system.

I have also had this list circulated by way of letter to the office of each Senator. While it would be desirable if all Honourable Senators would use the suppliers who do not cause interference, I understand that the service levels individual Senators require may be better met by other non-compatible companies.

[English]

Honourable senators who bring into the Senate chamber any electronic device that produces any sound are at risk of causing a disorder. Honourable senators who possess a device that is not compatible with our sound system are at greater risk, if the said device is not powered down or disabled before they enter the Senate chamber. If honourable senators neglect to do so, it compounds the interference by shutting off the device only when the realization comes that it is causing a problem, since the process of shutting them off sends even greater amounts of data strings that will increase the level of interference.

It is my ruling that the point of order raised by Senator Corbin is well founded. Therefore, the collaboration of all honourable senators is requested to maintain order in the house.

[Translation]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

COMMITTEES SCHEDULED TO MEET ON MONDAYS AUTHORIZED TO CONVENE DURING SENATE ADJOURNMENTS

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of May 11, 2006, moved:

That pursuant to rule 95(3), for the remainder of this session, the Standing Senate Committees on Human Rights, Official Languages, and National Security and Defence be authorized to meet at their approved meeting times as determined by the Government and Opposition Whips on any Monday which immediately precedes a Tuesday when the Senate is scheduled to sit, even though the Senate may then be adjourned for a period exceeding a week.

Motion agreed to.

BANKING, TRADE AND COMMERCE

COMMITTEE AUTHORIZED TO STUDY PROCEEDS OF CRIME (MONEY LAUNDERING) AND TERRORIST FINANCING ACT

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of May 10, 2006, moved:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to undertake a review of the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act* (S.C. 2000, c. 17) pursuant to Section 72 of the said Act; and

That the committee submit its final report no later than September 28, 2006.

Motion agreed to.

[English]

SCRUTINY OF REGULATIONS

FIRST REPORT OF JOINT COMMITTEE ADOPTED

The Senate proceeded to consideration of the first report of the Standing Joint Committee for the Scrutiny of Regulations (permanent order of reference and expenses re rule 104), presented in the Senate on May 11, 2006.—(*Honourable Senator Eyton*)

Hon. J. Trevor Eyton moved the adoption of the report.

The Hon. the Speaker: Honourable senators, it is moved by the Honourable Senator Eyton, seconded by Senator Nolin, that this report be adopted now.

Is there debate?

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, could Senator Eyton confirm the impression I am under, that the order of reference contained in this report is the standard order of reference setting out the standard criteria by which the committee will operate and so on, or is there anything new and different this time?

Senator Eyton: Honourable senators, the question is easy. The answer is that there is no change.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Motion agreed to and report adopted.

FUNDING FOR TREATMENT OF AUTISM

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Munson calling the attention of the Senate to the issue of funding for the treatment of autism.—(*Honourable Senator Mercer*)

Hon. Terry M. Mercer: Honourable senators, it is an honour for me to support my colleague, the Honourable Senator Munson, in his ongoing effort to raise awareness of a problem in Canada with regard to our children. I will, no doubt, echo many of the thoughts and feelings of those here today. I can only hope that we will do our best to continue to raise awareness of autism and solve the issues surrounding it.

The Autism Society Canada estimates the number of children with autism has grown by more than 150 per cent in the last six years. This statistic is startling. These sufferers, with compulsive behaviours and speech disorders, become alienated from their family and friends, those who care about them so deeply. According to most research, the disorder affects approximately 190,000 Canadians. Three out of every 1,000 children are being diagnosed — up from four in every 10,000 in 1986. Treatment can have a dramatic effect on autism, but the treatment is not readily available because of its cost.

• (1520)

Honourable senators, this does not sound like the Canada I know and love. We all should be aware that autism is a complex disorder with no absolute cure. Parents fight every day to secure services that are needed to help their children overcome this disorder in order to live the fullest life they can live.

As my colleague Senator Munson has said, we still do not know what causes autism and we still do not know how to cure it. Most importantly, some treatment methods are debatable and not guaranteed. Some people support behavioral intensive intervention as the best treatment for children with autism. There is no question that it is expensive and requires full-time individual therapy. There is also no question that it works. Honourable senators, at what cost do we keep excluding this treatment from the Canada Health Act? To what future cost do we submit ourselves? I have long been an advocate of preventative measures in the health care system. Treating disease now prevents increased health costs when trying to deal with a disease in the future. In one study with an average of 40 hours per week of one-on-one treatment for two years, almost half of the children recovered to the point of being identical in behaviours to their normal developing peers. This is astonishing. However, also astonishing is the cost — between \$50,000 and \$120,000 per year, depending on the severity of the child's condition. Provinces do pay for treatment, but only up to a certain amount, and not even half the cost. That is not acceptable and it is not Canadian.

Honourable senators, imagine if your child was suffering from autism and you could not afford to pay for the treatment. Can you imagine mortgaging your home, selling your car or taking another job in order to pay for treatment that has been proven to work? This is what parents of autistic children are doing today, all because our health care system will not ensure the treatment. I do not know if all of you here would do those things for the love of your child, but I think you would. Simply put, the treatment should be covered and it should be covered starting yesterday.

Dr. Lonnie Swaigenbaum, a top researcher in autism and an associate professor of paediatrics at McMaster University, is setting up an institute to detect and aid children with autism at an early age, as well as to help train more researchers in the field. Research will help promote awareness, but we need programs. To quote Dr. Swaigenbaum, "We have the opportunity to detect autism early in life. And yet without the ability to provide effective interventions, there is a potential to create more frustration and despair for families." I believe that says it all.

All honourable senators believe that people who are sick or injured should get the treatment they need. Previously I spoke about preventative measures. As mentioned by Senator Munson, nine out of 10 children who do not receive the treatment they need are institutionalized. What a shame. How much cost is associated with that? If we cover the cost of treatment in the early years, can we prevent such institutionalizations and the associated costs? For the sake of children, and for Canada as a whole, it is time we recognize that behavioural treatment for autism is an essential health care service and should be funded by our system of health care.

Honourable senators, I have had the privilege to meet several parents of autistic children. I have had the opportunity to observe them when attending to my godchild, who is severely handicapped with cerebral palsy. She attends a camp with other children who have disabilities. One of those children is autistic. I continue to be amazed not only at the parents of my godchild, but also at the parents of this autistic child because of the care, the love, the dedication that they affectionately give to those children. Yet, we as a society are not providing what they need: Treatment that has proven to work. It is time that we change that and the time is now.

[Senator Mercer]

On motion of Senator Di Nino, debate adjourned.

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

MOTION TO AUTHORIZE COMMITTEE TO STUDY PROCEDURE FOR REINTRODUCING BILLS FROM PREVIOUS PARLIAMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator De Bané, P.C.:

That the Standing Committee on Rules, Procedures and the Rights of Parliament study and make the necessary recommendations on the advisability of amending Senate practice so that bills tabled during a parliamentary session can be reintroduced at the same procedural stage in the following parliamentary session, with a view to including in the *Rules of the Senate*, a procedure that already exists in the House of Commons and would increase the efficiency of our parliamentary process; and

That the committee report to the Senate no later than June 8, 2006.—(*Honourable Senator Segal*)

Hon. Hugh Segal: Honourable senators, I am honoured to rise and speak briefly in support of the motion put before us by Senator Hervieux-Payette. Senator Hervieux-Payette is a determined, competent and very able member of this house who has served for a long time. I am merely a new member from the class of 2005, who is on a remarkable voyage of discovery and humility every day. The structured redundancy that sees the reintroduction of all bills at the earliest possible stage, notwithstanding what transpired in the previous session, seems — and I say this as someone who believes that *Magna Carta* was 600 years too soon — excessive under the circumstances. I do not think that reiterating activity for its own sake — that is, activity that serves no purpose — is in the interests of this chamber or our parliamentary role. The wasteful misuse of the time of senators and the distinguished officers of the house, who work diligently to facilitate our debate and discussion, is unnecessary. This reiterative process tends to put all the procedures of the house into some measure of disrepute, unwittingly to be sure. Nevertheless, I think that is its net effect.

Honourable senators should note, as Senator Hervieux-Payette was kind enough to note in her representations, that the other place has approved this same measure on a completely nonpartisan, multiparty basis, which speaks to the need for us to reflect on the subject as carefully and constructively as we can. For that reason, I am very supportive of the motion be transferred to the Rules Committee of this chamber, chaired by my distinguished seatmate, Senator Di Nino, with the full and

complete understanding that consideration of this matter would allow us to pronounce upon it in a reasonably diligent way. As this is about brevity, where appropriate, but not necessarily brevity let me end my comments at this point.

On motion of Senator Cools, debate adjourned.

• (1530)

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO STUDY RURAL POVERTY

Hon. Hugh Segal, pursuant to notice of April 5, 2006, moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to examine and report on rural poverty in Canada. In particular, the Committee shall be authorized to:

- (a) examine the dimension and depth of rural poverty in Canada;
- (b) conduct an assessment of Canada's comparative standing in this area, relative to other OECD countries;
- (c) examine the key drivers of reduced opportunity for rural Canadians;
- (d) provide recommendations for measures mitigating rural poverty and reduced opportunity for rural Canadians; and

That the Committee submit its final report no later than April 30, 2007.

He said: Honourable senators, my first notice of motion as the junior senator from Ontario, was a request asking the Senate to authorize the Standing Senate Committee on Agriculture and Forestry to examine and report on rural poverty. Today, I want to take the opportunity to propose its passage.

Our rural communities, as we know, are disappearing. The exodus of youth from those communities is continuing at an alarming rate and the remaining rural population is aging.

In 1881, 48 per cent of Canada's workforce found employment in the agricultural sector; today, less than 3 per cent of our workforce has an agricultural occupation.

More than 2 million rural poor are living without adequate shelter, access to needed medical and social services, sufficient or wholesome food, and meaningful employment. They face the problem of the boom-bust agricultural cycle. They face the problem of a lack of strategic investment for a very different future.

As of November 30, 2005, there were 270 food banks operating in small and rural communities, and their usage was up.

A child born in rural Canada is likely to leave school by the age of 15, struggle with addictions and stay poor. When one is born to poverty, when one's range of prospects is so narrow as to be virtually invisible, the incident of crime, addiction and violence increases.

It is my great privilege to serve as a member on the Standing Senate Committee on Agriculture and Forestry. I have a strong and ongoing respect for the agricultural and other experience reflected by members of that committee. Should the Senate wish to proceed with this proposition, I am comfortable that it would be dealt with by the committee within its other range of priorities under the distinguished leadership of Senator Fairbairn in a fashion constructive and appropriate as to both time and focus.

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, would Senator Segal permit a question?

Senator Segal: By all means.

Senator Hays: The honourable senator stated that there are 2 million rural Canadians living in poverty. It is obvious that the honourable senator has given this matter a great deal of thought and his is a great motion.

Where do these people live? I am interested in how that has prompted the honourable senator to bring this matter forward.

Senator Segal: The number 2 million is determined by looking at the number of people living in communities of a size defined by Statistics Canada as rural by definition. One then considers the number of those people living below the low-income cut-off. There is a healthy debate in the country as to whether the low-income cut-off, as it is used by statisticians and social policy experts, is the best indicator of poverty. However, it is the one used in our urban areas. It strikes me as only fair to apply the same premise to our rural areas.

Second, because of some of the difficulties around transportation and access to services, one's particular position on the income spectrum may not necessarily be an indicator of quality of life. Specifically, senior women and women living by themselves and who do not have access to transportation are particularly victimized by some of the lack of services available in rural Canada.

We have a range of issues that relate both to the agricultural cycle as well as to the change in technology in both forestry and fisheries. Many of the people living in rural Canada are our Aboriginal brothers and sisters. This brings the prism of rural poverty to us in a way that might allow us to suggest some constructive macro- and micro-policy recommendations for government that could have some significant impact.

The numbers are based on Statistics Canada data. This is also reflected in the work done by others at the University of Guelph and the University of Toronto.

I hope we can look at this not in a fashion that is unrelated to urban poverty but in a fashion that relates to the way the two connect.

Certainly, in cities like Kingston and others across Canada, the inability of the rural area to provide support in a host of ways produces greater pressure on social services in the county seats as they may be across the Canada. This is an issue of immense non-partisan significance and I am hopeful colleagues will wish to proceed with my motion.

Senator Hays: I thank the honourable senator for the additional information.

These are like purchasing power parity type analyses, in terms of the extent to which these people are living in poverty.

Where are these people in terms of different areas of the country? Obviously, the honourable senator is concerned with Ontario. Can the honourable senator give us a further indication as to where the poverty-stricken live?

Senator Segal: I am glad to respond to the question of the honourable senator.

There is no question that in parts of the country that are doing economically better, in the context of the rising sea lifts all ships, rural Canadians are doing better as well. For example, the issue of rural poverty in Alberta is not as intense as it is in Atlantic Canada, parts of Quebec, Eastern and Northern Ontario, Saskatchewan and north of 60. North of 60 is a huge difficulty for us in many parts of the country because those remote areas have not been sustained by a broad economic growth factor.

I should point out that other countries with large geography, for example, some of our Scandinavian and European friends, have found ways to bridge some of these gaps. It is my hope that in due course the committee will have a chance to look at those to see if any apply to the work we might do in this country.

Hon. John G. Bryden: Is the honourable senator a member of the Standing Senate Committee on Agriculture and Forestry?

Senator Segal: Yes, honourable senators, I am.

Senator Bryden: I am a bit puzzled as to why the honourable senator would select the Standing Senate Committee on Agriculture and Forestry to deal with an issue that is primarily a social issue. I take it that it will demand the opportunity to hear witnesses who deal in that area. I refer to experts in the field. The honourable senator said that rural poverty has a significant impact on the neighbouring urban area, whether it is Kingston or Fredericton Junction.

I am puzzled as to why the Agriculture Committee would have a high enough level of interest and expertise to be able to deal with the issue. It has been my experience that, for example, the support staff assigned to a committee often spend quite a lot of time considering what is happening in a particular area. I am talking about the clerks of committee and the people from the Library of Parliament who are assigned to help a committee on a given study.

If honourable senators consider our Standing Senate Committee on Social Affairs, Science and Technology, under the chairmanship of Senator Kirby, they will know that some of the members of that committee have made a career out of health

care, whether it be regular health care or mental health care. They are probably the most knowledgeable experts in the country. I am assuming that the same applies in areas such as poverty, its social implications and its impact on children and the aged.

Why would the honourable senator choose to move that this motion be dealt with by the Agriculture Committee instead of sending it to the Social Affairs committee?

Senator Segal: I thank the honourable senator for his thoughtful question.

My aspiration related to a sense that often the Agriculture committee deals with cyclical issues as they relate to commodity cycles, to supply management and to the regulation of agriculture and forestry activities, all in a constructive and helpful way.

• (1540)

It was my hope, in the initial crafting of this motion that, by pulling together all those pieces in terms of the impact on people, namely the escalating and concerning levels of rural poverty across the country, the committee might be able to provide a further benefit to this chamber and to the country by assessing how all those issues come together at the level of poverty and social exclusion not only for people who live in our farming communities, but also for people in the adjacent forestry and fishery communities that are equally important.

While I understand and accept the senator's counsel that one might have first gone to the Standing Senate Committee on Social Affairs, Science and Technology, it struck me as constructive, particularly in terms of the farm crisis issues we now face, to try to connect them with day-to-day lives, which are, in many cases, poverty stricken across rural Canada, in a fashion that might produce an incentive for the government to act more directly and quickly, mostly because we have an uncommon window where the government has a largely rural base and needs to sustain that base. The official opposition in the other place has an urban base, but needs to grow in rural Canada. It struck me that if we could do work around this particular issue in a fashion that produced an incentive for both sides to act, we may achieve some fundamental activity on behalf of rural Canadians that would be seen as constructive, notwithstanding where anyone sits on any committee or in this house.

Senator Bryden: I assume that I am to accept that the \$100 a month for children under six years of age is a start.

Hon. Art Eggleton: Honourable senators, I rise to support the motion of Senator Segal to have the Agriculture Committee examine the question of poverty. One may ask why a big city person is supporting this motion. I support it because the issue is not only vitally important for rural Canada, but also for urban Canada, and as a former big city mayor I well appreciate the need to deal with the various aspects of poverty.

A task force in Toronto recently released a report entitled "Time for a Fair Deal." The report deals with the condition in which many working age adults find themselves. That is only part of the story. There are also the questions of child poverty and poverty of single parents. There is gender-related poverty, and the gap between the rich and the poor that is becoming more acute throughout the country.

I support this motion because I want it to be a catalyst for dealing with both the rural and urban sides of the issue. They are intertwined and we need to deal with both. The rural and urban parts of Canada are very important to each other both socially and economically.

In regard to Senator Bryden's concern, I believe that the Social Affairs Committee would be the ideal forum to deal with matter of urban poverty, perhaps in the context of an overall cities agenda.

There is much commonality between urban and rural poverty. Many issues will require study that could be of common benefit, and there are some that are peculiar to each segment of the population. This is a good start to dealing with this issue.

This chamber dealt with poverty in a more total context under the leadership of Senator Croll in 1971. To my knowledge, this chamber has not dealt with the matter since. It is time to deal with these issues.

I commend Senator Segal for getting a start on rural poverty, but we must look at urban poverty as well.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Wilbert J. Keon, for Senator Kirby, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Wilbert J. Keon, for Senator Kirby, pursuant to notice of April 25, 2006, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

BILL S-211—COMMITTEE AUTHORIZED TO RECEIVE PAPERS AND EVIDENCE ON BILL S-11 OF THIRTY-EIGHTH PARLIAMENT

Hon. Joan Fraser (Deputy Leader of the Opposition), for Senator Lapointe, pursuant to notice of May 11, 2006, moved:

That the papers and evidence received and taken on Bill S-11, to amend the Criminal Code (lottery schemes), by the Standing Senate Committee on Legal and Constitutional Affairs during the First Session of the Thirty-eighth Parliament be referred to the Standing Senate Committee on Social Affairs, Science and Technology for its study on Bill S-211, to amend the Criminal Code (lottery schemes).

She said: Honourable senators, as I ask everyone else to explain, I think that I owe the Senate a brief explanation.

In the past, Senator Lapointe's bill has been referred to the Standing Senate Committee on Legal and Constitutional Affairs. This time, the same bill is being referred to the Standing Senate Committee on Social Affairs, Science and Technology. It seemed like a good idea, in order to expedite proceedings, that the evidence heard by the Legal Affairs Committee be made available to the Social Affairs Committee. It is a somewhat unusual, but I think constructive, way to proceed in this case.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

THE SENATE

MOTION TO IMPORE PRESIDENT OF RUSSIA TO ASSIST IN LOCATING RAOUL WALLENBERG— DEBATE ADJOURNED

Hon. Consiglio Di Nino, pursuant to notice of May 11, 2006, moved:

That the Senate of Canada implore President Vladimir Putin, President of Russia, to use his good office to shed light on the whereabouts of Raoul Wallenberg, the Swedish diplomat who was responsible for saving the lives of thousands of people from the Nazi death camps. Mr. Wallenberg was allegedly seized by the Soviet Army on January 17, 1945 and has not been seen or heard from since.

• (1550)

He said: Honourable senators, from time to time, the world produces a truly great humanitarian. It is always a person who puts the well-being and safety of others ahead of his or her own.

One such person is Raoul Wallenberg. Mr. Wallenberg was a young Swedish businessman who was recruited by his friends and colleagues to join the Swedish diplomatic corps in Budapest, Hungary. The specific mandate of this group was to set up a rescue operation for Jews, many of whom had been, and continued to be, deported to the Auschwitz and Birkenau concentration camps, where certain death awaited.

Let me quote some historical details of Mr. Wallenberg's successful efforts to save the Jews of Budapest from the website of Canadian Heritage:

At the end of June 1944, Mr. Wallenberg was appointed First Secretary at the Swedish Legation in Budapest with the mission to start a rescue operation for the Jews there. Wallenberg used creative methods and unorthodox diplomacy to achieve this goal. Based on an original idea of his colleague, Per Anger, he designed a Swedish pass to help protect Jews against German and Hungarian officials who were trying to deport them. Mr. Wallenberg was also able to establish safe houses for many Jews in Budapest. The Swedish flag was hung above the doors of these houses and Mr. Wallenberg declared them Swedish territory, ensuring the Nazi army did not visit to take their occupants to detention camps.

During the war, many Jews were being deported from Hungary on foot and by train. Reports suggest that Mr. Wallenberg handed out protective passes, food and medicine to people on these forced marches, and that he climbed onto the trains and pushed bundles of passes to people inside. He then threatened and bribed officials until they agreed to free those who were in possession of these Swedish passes.

During the last days of World War II, in response to concerns that the Nazis were planning to kill the 115,000 inhabitants of the Budapest Jewish ghetto, Mr. Wallenberg warned that if the massacre were carried out, he would ensure that the perpetrators would be tried as war criminals. The ghetto was left alone, and Mr. Wallenberg is frequently credited with saving its inhabitants.

The following is from website of The International Raoul Wallenberg Foundation:

Now Raoul Wallenberg began to expand the "Swedish houses." These were more than thirty buildings in the Pest district where Jews could seek shelter. A Swedish flag hung outside the door of each, and Wallenberg declared the building Swedish territory. The number of inhabitants ... soon climbed to 15,000.

The other neutral diplomatic missions in Budapest began to follow Wallenberg's example by issuing protective passports. A number of diplomats from other countries were inspired to open their own "safe houses" for Jewish refugees....

During the second week of January of 1945, Raoul Wallenberg learned that Eichmann was about to set in motion a total massacre of the Jews living in Budapest's larger ghetto. The only person who could prevent it was General August Schmidhuber, commander of the German troops in Hungary.

Wallenberg's ally Szalay was sent to find Schmidhuber and hand over a note which declared that Raoul Wallenberg would make sure that the general would be held personally responsible for the massacre and that he would be hanged as a war criminal after the war. The massacre was cancelled at the last minute as a result of Raoul Wallenberg's intervention.

Two days later, the Russians arrived and found 97,000 Jews alive in two Budapest ghettos. This brought to 120,000 the total number of Jews who had survived the Nazi efforts to exterminate them in Hungary.

According to Per Anger, Wallenberg's friend and colleague, Wallenberg must be given credit for having saved about 100,000 Jews.

Colleagues, over the years, there have been conflicting reports regarding the whereabouts of Raoul Wallenberg. What seems to be generally accepted is that on January 17, 1945, the Soviet army seized Mr. Wallenberg, and no one has seen or heard from him since.

During the last several decades, a variety of stories have surfaced about the fate of Mr. Wallenberg, including the unsubstantiated claim by the Russians that in 1947, he died of a heart attack in prison. In January 2001, Swedish Prime Minister Göran Persson commented:

As long as there is no unequivocal evidence of what happened to Mr. Wallenberg — and this is still the case — it cannot be said that Raoul Wallenberg is dead.

The International Raoul Wallenberg Foundation is an NGO which counts among its supporters more than 60 heads of state, close to 70 governors and mayors, over 80 Nobel Prize recipients and numerous other eminent and respected men and women including a number of Canadians. The foundation's mission is to develop educational programs and public awareness campaigns based on the values of solidarity and civic courage, ethical cornerstones of the Saviours of the Holocaust.

They have launched an international initiative to pressure Russian President Vladimir Putin to bring closure to this both heroic and tragic story by reopening the files of Mr. Wallenberg. The world owes Raoul Wallenberg and his family, including his niece Nane Annan, wife of the UN Secretary General, a least this small but hugely significant step in recognition of his courageous and heroic actions.

I urge all colleagues to support this motion, which, if passed, I intend to bring to the Russian Ambassador to Canada for delivery to President Vladimir Putin.

On motion of Senator Stratton, debate adjourned.

The Hon. the Speaker: Honourable senators, I hear something ringing. On a matter of order, the house will not proceed with business until the offending device is removed or turned off.

FISHERIES AND OCEANS**COMMITTEE AUTHORIZED TO CONTINUE STUDY
ON ISSUES RELATING TO NEW
AND EVOLVING POLICY FRAMEWORK**

Hon. Janis G. Johnson, for Senator Rompkey, pursuant to notice of May 11, 2006, moved:

That the Standing Senate Committee on Fisheries and Oceans be authorized to examine and report on issues relating to the federal government's new and evolving policy framework for managing Canada's fisheries and oceans;

That the papers and evidence received and taken and the work accomplished by the Committee on the subject during the First Session of the Thirty-Eighth Parliament be referred to the Committee; and

That the Committee submit its final report to the Senate no later than Friday, June 29, 2007.

Motion agreed to.

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, prior to the adjournment, I ask leave of the Senate to advance my notice of motion given earlier today for an address to Her Majesty Queen Elizabeth II, congratulating her on her eightieth birthday from two days hence to the next sitting of the Senate in light of the very short day we may have this Thursday.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

The Senate adjourned until Wednesday, May 17, 2006, at 1:30 p.m.

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CANADA

Debates of the Senate

1st SESSION

•

39th PARLIAMENT

•

VOLUME 143

•

NUMBER 15

OFFICIAL REPORT
(HANSARD)

Wednesday, May 17, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER



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(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Wednesday, May 17, 2006

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

[Translation]

SENATORS' STATEMENTS

MULTIPLE SCLEROSIS AWARENESS MONTH

Hon. Wilbert J. Keon: Honourable senators, in the late 1970s, the Canadian Multiple Sclerosis Society chose the month of May as Multiple Sclerosis Awareness Month in Canada. During the month, volunteers and staff at all levels organize numerous public awareness activities.

Canada has one of the highest rates of multiple sclerosis in the world.

[English]

Multiple Sclerosis, MS, is an unpredictable, often disabling disease of the central nervous system — the brain and the spinal cord. The disease attacks the protective myelin covering of the central nervous system, causing inflammation and often destroying the myelin in patches. In its most common form, MS has well defined attacks followed by remission. At the time of diagnosis, it is difficult for doctors to predict the severity of MS, its progression and specific symptoms. The people afflicted with MS and their families have great difficulty living with this disease.

There is no known cause or cure for MS. There are an estimated 50,000 Canadians living with the disease. Each day, three Canadians learn they have MS and this statistic puts Canada as the world leader in the incidence of this terrible disease.

Canada is also a world leader in multiple sclerosis research. I believe that a major reason for this is that Canadian researchers collaborate with each other and with other researchers around the world.

Dr. Brenda Banwell at the Hospital for Sick Children, Dr. Amit Bar-Or, Dr. Douglas Arnold at the Montreal Neurological Institute and Dr. Dossa Sadovnick at the University of British Columbia are leading a study of children with MS at 22 hospitals in 17 Canadian cities from Victoria to St. John's.

Dr. Sadovnick and Dr. George Ebers, formerly of the University of Western Ontario and now a professor at Oxford lead the Canadian collaborative project on genetic susceptibility.

The MS Scientific Research Foundation and the MS Society of Canada fund the multi-million dollar research projects that I have mentioned.

• (1340)

Canada is pre-eminent in research in leading the fight against this terrible disease. I am sure that honourable senators will respond enthusiastically when you see volunteers selling carnations or coming to your door for a donation.

[Translation]

MINISTERIAL CONFERENCE OF LA FRANCOPHONIE

Hon. Rose-Marie Losier-Cool: Honourable senators, I rise today to draw your attention to the Ministerial Conference of La Francophonie, which was held last weekend in St. Boniface, Manitoba. This 19th ministerial conference since 1971 was organized by the Organisation internationale de la Francophonie. The theme of the conference was conflict prevention and human security.

The OIF ministerial conferences are held between each Sommet de la Francophonie. The purpose of these conferences is usually to follow up on the decisions made at the last summit and to prepare for the next summit. The next summit, honourable senators, will be held in September in Bucharest, Romania.

The conference in St. Boniface was held under the auspices of the secretary general of the OIF, former Senegalese president, Abdou Diouf, whom many honourable senators here know and respect deeply for his immense wisdom and great humanity.

The conference in St. Boniface brought together the ministers of foreign affairs from over 20 member countries of la Francophonie, including Canada. The conference had two main objectives:

- increased and more effective participation by the OIF in international peacekeeping initiatives, by providing training and technical assistance; and
- closer partnership between the OIF and other international bodies such as the United Nations.

Honourable senators, as I often tell you, la Francophonie is an international reality. It has its importance and its usefulness. The conference in St. Boniface is a good reminder of the key role la Francophonie plays in our world and Canada's place in it.

[English]

AUDITOR GENERAL'S REPORT ON FIREARMS REGISTRY

Hon. David Tkachuk: Honourable senators, the Auditor General's May 2006 report indicates that the former government has seriously misled parliament. Honourable senators will recall that in 2002, the centre's records were in such a mess that Sheila Fraser had to abandon her audit.

While progress has been made since 2002, there remain what the Auditor General terms "major difficulties," including the existence of long-standing problems in the long-gun registration database. This means that the Canadian Firearms Centre does not have a clue as to how many of its firearms records are correct or incomplete.

The Canadian Firearms Centre's new and improved management team bungled the new computer system. Originally budgeted at \$32 million, costs for the centre have soared to \$90 million, and the system is still not operational. Canadians have been lied to about the results in the long-gun registry's past and projected costs.

To quote the Auditor General:

Parliament's control over the public purse hinges on its voting of annual appropriations to fund departments, signalling its approval of their spending plans. Reporting of departments' expenditures accurately against their annual appropriation cost is thus a cornerstone of parliamentary control.

As parliamentarians, we rely on the information that the government provides us when we vote supply, or when we attempt to hold the government accountable. We are now told that the performance reports of the Canadian Firearms Centre misled parliament on how well licensing and registration activities have performed. We are told that the centre ignored government contracting rules as well as Treasury Board rules that require proper records to be kept of meetings where decisions were made. We are told that rather than come clean on their spending, they hid it. We learn that the former government, after being given legal advice in early 2004 that the registry needed extra spending authority before the end of the fiscal year, through a Supplementary Estimate, went out and illegally spent \$22 million.

Honourable senators will recall that in January 2004 a new Liberal Prime Minister was trying to make it look like he had the gun registry's costs under control; it would appear that he did not.

This is a program that we were originally told would only cost \$2 million. The price tag is now \$1 billion and rising.

• (1345)

Had Parliament been told in 1995 that it would cost \$1 billion to set up the gun registry, we might have had an informed debate as to whether this money would be better spent on policing. The fact is that the current firearms registry system is broken and the previous government was unable to fix it.

I heartily applaud the announcement by the Minister of Public Safety this afternoon for reduced spending, with the millions of dollars saved to be redirected to fighting crime. I also applaud the many other necessary and urgent changes to the registry itself, including offering amnesty for one year to those who have not yet registered their unrestricted arms, as well as waiving fees this year for those who have already registered.

[Translation]

VISIT OF SECRETARY GENERAL OF LA FRANCOPHONIE

Hon. Lise Bacon: Honourable senators, last Wednesday, the Secretary General of La Francophonie, Mr. Abdou Diouf, arrived in Canada to begin an official visit. The high point of his visit was the Ministerial Conference of La Francophonie on Conflict Prevention and Human Security.

Mr. Diouf came at the invitation of Canada and yet, quite contrary to usual practice, no member of the Canadian government was at the airport to meet him. Worse yet, to add insult to injury, despite his diplomatic passport, Mr. Diouf was subjected to a body search on his arrival here. It is distressing to note the Conservative government's complete insensitivity to the visit by a dignitary of such importance as the secretary general of the Organisation internationale de la francophonie. It did not surprise me at all, however, because in its treatment of Mr. Diouf, this government simply remained true to itself, that is, indifferent to Canada's francophone community.

Indeed, nowhere among the priorities of the Conservative government is there any mention of protecting francophones outside Quebec and developing the French language in minority language communities. Furthermore, as regards the francophone community in Quebec, attached as it is to the growth of the language, we cannot fail to notice this government's most regrettable absence of cultural awareness. It may be the apostle of law and order, but culture is quite another matter.

I am not saying this today to score political points. There is no need to do that, because the Minister of Canadian Heritage, Bev Oda, has said it so well, if we are to believe Mario Cloutier in *La Presse* of May 11. According to the Minister herself, Canadians care little about culture.

That is a comforting statement on the intentions of the government. It is not Canadians who care little about culture, but rather the government under the leadership of the minister responsible. With its total silence on La Francophonie, its lukewarm approach to bilingualism and its staggering lack of understanding of the strategic role of culture in Canada, this government keeps disappointing us.

What a contrast with the time when I was Deputy Premier of Quebec and Mr. Diouf, already a remarkable and dignified statesman, welcomed me to Senegal with all the honours and savoir-faire of his diplomatic corps.

RIGHT TO ABORTION

Hon. Lucie Pépin: Honourable senators, yesterday, in response to my question on the right to terminate pregnancy, the Leader of the Government in the Senate made the following statement:

[English]

The only private member's bills that have ever been tabled in the other place, or at least in the last Parliament, were by Liberal members of Parliament.

[Translation]

I would like to clarify a few things. Several hours of research in the House of Commons Hansard revealed that the Liberals did not introduce any bills about ending a pregnancy during the last Parliament. However, Conservative member Garry Breitkreuz introduced two motions on this subject during the 38th Parliament. Also during that Parliament, on December 3, 2004, another Conservative member, Maurice Vellacott, introduced Bill C-307 restricting women's right to abortion.

Honourable senators, I know that the Leader of the Government is pro-choice. I sincerely hope that we can count on her and her leadership to convince members of her caucus that women who choose to end a pregnancy do so not because they want to but because they have to. I will take on the task of convincing dissidents within my own party of this. If we work together, we can put an end to this debate.

• (1350)

[English]

INTERNATIONAL DAY AGAINST HOMOPHOBIA

Hon. Nancy Ruth: Honourable senators, today, May 17, is Canada's National Day Against Homophobia. This day was recognized for the first time three years ago by the Quebec-based Fondation Emergence, an organization dedicated to fighting homophobia. It is also the second International Day Against Homophobia, otherwise known as IDAHO. It is held 16 years to the day after the World Health Organization removed homosexuality from its list of mental illnesses. This year, IDAHO will be recognized in some 50 countries. It was endorsed by the European Parliament in its January 18 resolution condemning homophobia, as well as by the Belgian Parliament.

Homophobia is discrimination against lesbians, gays, bisexuals and transgendered people because of their sexual orientation. Like so many other forms of discrimination, homophobia arises from fear and ignorance, when belief in persistent myths gives rise to negative attitudes and behaviours. Discrimination can become violent, as seen in the 2001 beating death of Aaron Webster in Vancouver's Stanley Park. That such incidents happen in our society is alarming. Covert forms of discrimination remain in our homes, our communities, our schools and in the workplace, resulting in missed job opportunities, subtle social and professional exclusions, open harassment and the terrorization of children.

Setting aside a day to fight homophobia helps promote relationships among people from all backgrounds and supports the further inclusion of gays, lesbians, bisexuals and transgendered people into society.

Honourable senators, I ask that you join with me in recognizing the importance of this day because Canada does not want to promote discrimination. I encourage all honourable senators to continue in the struggle to end discrimination in whatever form it may take.

[Senator Pèpin]

VISITORS IN THE GALLERY

The Hon. the Speaker: I draw the attention of honourable senators to the presence in the gallery of Ms. Margaret Healy, President of the United Irish Society of Montreal; Ms. Elizabeth Quinn, Vice President of the United Irish Society of Montreal; Miss Courtney Elizabeth Mullin, Queen of the Montreal St. Patrick's Day Parade; Miss Catherine Conway, Princess of the Montreal St. Patrick's Day Parade, and Miss Tara Lee Duffy, Princess of the Montreal St. Patrick's Day Parade.

All of these women are guests of the Honourable Senator Raymond Lavigne. On behalf of all honourable senators, welcome to the Senate of Canada.

ROUTINE PROCEEDINGS

NATIONAL BLOOD DONOR WEEK BILL

FIRST READING

Hon. Terry M. Mercer presented Bill S-214, an act respecting a National Blood Donor Week.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Mercer, bill placed on the Orders of the Day for second reading two days hence.

• (1355)

INCOME TAX ACT

BILL TO AMEND—FIRST READING

Hon. Jack Austin presented Bill S-215, to amend the Income Tax Act in order to provide tax relief.

Bill read first time.

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

On motion of Senator Austin, bill placed on the Orders of the Day for second reading two days hence.

[Translation]

QUESTION PERIOD

NATIONAL DEFENCE

AFGHANISTAN—EXTENSION OF MISSION— HOUSE OF COMMONS DEBATE

Hon. Roméo Antonius Dallaire: Honourable senators, my question is for the Leader of the Government. Senator Munson informed me that Canada's first female combat death occurred today in Afghanistan. This is an important event in our country's post-Second World War military history.

[English]

My question for the leader concerns the fact that in a most precipitous fashion the other place is going to debate with very little time, barely six hours, a motion introduced by the government on the length of our commitment to the humanitarian mission currently being accomplished by Canadian diplomats, humanitarians, and soldiers in the nascent democracy of Afghanistan.

Why has the Prime Minister turned to the other place to take such a difficult, complex, executive decision? It is not in the tradition of our parliamentary institutions, when we know that those who sit there do not have the information necessary to take a full and complete decision on such an incredibly complex and serious matter. Also, the decision ultimately is non-binding on the Prime Minister? Does the Prime Minister wish to move to a state of surrogate cabinet whereby the other House moves into the executive decision-making of our parliamentary system?

Hon. Marjory LeBreton (Leader of the Government): I thank the Honourable Senator Dallaire for that question.

The decision of the Prime Minister and the government to debate this issue, I believe, speaks for itself. At the request of the opposition, specifically the NDP, the Prime Minister has committed to a parliamentary debate and a vote on any new missions. As reported by the Leader of the Opposition after the opposition's caucus today, the official opposition will listen to the six-hour debate and then decide how members will vote. It is true that past governments did not consult either House on important missions like Afghanistan, but this Prime Minister is determined to do that.

All house leaders of all opposition parties were consulted about this procedure. They agreed to the process and they agreed to the vote, but that was yesterday and this is today.

• (1400)

Senator Dallaire: Honourable senators, it is to be noted that the motion as drafted cannot be amended. It speaks specifically of the length of the mission and leaves the impression that if one is not in agreement with the length of the mission, one could, by extension, be considered to be not in agreement with the mission.

Through this debate, the Prime Minister has created a state of uncertainty with regard to our political commitment to this mission and to troops who are already deployed and have been

bloodied. Our allies in Afghanistan have already taken their decisions to commit their forces. As a result of this political uncertainty with regard to the depth of our commitment, our troops could be targeted more than those of our allies.

Does the Prime Minister realize that he can ultimately be held accountable for the extra danger to our troops that may result from this totally artificial decision-making process in the other House?

Senator LeBreton: Honourable senators, I should like to think that there is no wavering on our decision to be in Afghanistan. I hope that there is no political uncertainty about it, despite what some members of the opposition and some media might say.

The Afghanistan government and our 35 allies in Afghanistan are looking to Canada to extend our mission for an additional two years, from February 2007 to February 2009. As many opposition politicians have said, and as the honourable senator knows from his past experience, it takes time to prepare for these missions. Therefore, it is important to get moving on this matter.

The extension of the mission would be a substantial commitment, possibly including the resumption of command of the UN mission in 2008, although we have not yet been asked by NATO to do that.

The debate and vote on this subject is justified at this time. The two-year commitment is consistent with planning by key allies. Both the United Kingdom and the Netherlands will deploy provincial reconstruction teams and battle groups into southern Afghanistan by the summer of 2006. The British will deploy for up to three years and the Dutch will deploy for two years.

The extension of this mission is in keeping with our commitments to our NATO allies on the situation in Afghanistan which, by all accounts, is starting to bear positive results, not only on the human rights side, particularly with regard to women and children, but also for Afghans who are trying to rebuild and conduct their daily lives freely and openly.

Senator Dallaire: Honourable senators, if the government's conviction and commitment is so clear and firm, why must they go through this process in such a precipitous fashion that will have no binding effect on the Prime Minister and his cabinet?

If it is the wish of the government to have the House of Commons and potentially the Senate involved in the executive decision-making of the government, they might wish to consider creating a joint committee that could look at complex subjects such as this. Such a committee could have the necessary resources and take the necessary time to make responsible decisions that affect the lives of Canadians who are working in far off lands.

• (1405)

Senator LeBreton: The Prime Minister and the government are in no way shirking their executive decision-making powers. What we are doing is something Canada had committed to for some time. The government is responding to the calls of the opposition to consult with the elected members of Parliament in regard to their views on these major decisions.

I would think that that is what the Canadian public supports and desires, that they would want to know exactly how their parliamentarians feel about these decisions while fully understanding that the government has the right to make the decision.

In a free and open society, which is certainly what we are trying to create in Afghanistan, it is prudent and respectful to hear the views of parliamentarians on issues. That is a healthy sign, not something that should be feared.

Hon. Joseph A. Day: Could the Leader of the Government in the Senate advise as to whether the Prime Minister and his cabinet will be bound by the outcome of the vote on this issue that will take place in the other House?

Senator LeBreton: Honourable senators, I will answer that question in a hopeful manner. I imagine this issue will create an interesting debate. At the end of the day, I cannot imagine a scenario whereby most parliamentarians in this country would not support a motion after an open debate on an important mission in an area where Canada is making a real contribution.

Senator Day: I did not get an answer.

AGRICULTURE AND AGRI-FOOD

GRAINS AND OILSEEDS SECTOR— AVAILABILITY OF SUPPORT FUNDING

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate with respect to the field of agriculture, prompted by the serious distress we see in the Canadian agricultural sector, particularly with respect to grains and oilseeds.

The budget announced a commitment of \$755 million made by the previous government towards the Grains and Oilseeds Payment Program, an additional \$500 million as referred to in the Conservative platform, plus another \$1 billion for 2006-07 in response to the serious crisis. More money is needed.

Most important, while the \$755 million is being disbursed, \$1.5 billion is not. The Minister of Agriculture stated that he did not want to distribute these funds on an ad hoc basis.

My question is: When will these monies be available for Canadian farmers in crisis?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for his question.

I understand that the Minister of Agriculture is working on this issue almost as we speak. I will undertake to provide the honourable senator with a precise answer as soon as possible.

Senator Hays: The minister has made it clear that he did not favour an ad hoc program for disbursement of these funds.

I wish to remind the leader and honourable senators of the words spoken by the then Leader of the Opposition, Stephen Harper, regarding an emergency debate touching on agriculture, which dates back to February 3 of last year. He said:

We are looking at severe problems on top of what we already have as we approach this year's planting and seeding. This problem has to be addressed now.

Do I take it from the difference in position articulated by the Minister of Agriculture and the position held by our current Prime Minister when he was in opposition that they are in disagreement as to how this matter should be dealt with?

• (1410)

Senator LeBreton: I thank the honourable senator for the question.

As I said in an earlier answer, Budget 2006 did make good on our commitment to farmers, announcing an additional \$2 billion over two years for agriculture. Budget 2006 provides an additional \$1.5 billion for 2006-07. This includes \$500 million for farm support plus a one-time investment of \$1 billion to assist farmers in the transition to more effective programming for farm income stabilization and disaster relief. There is also \$200 million to help chicken farmers prevent and fight avian influenza, and, as I have stated previously, farmers are receiving an accelerated payment of \$755 million under the Grains and Oilseeds Payment Program, one of the first undertakings of our government.

With regard to further payments, as I stated in my previous answer, I will undertake to provide an immediate answer.

FARM INCOME CRISIS AND DISASTER RELIEF

Hon. Daniel Hays (Leader of the Opposition): I appreciate the minister's recital, some of which I had already pointed out in a positive way.

Will the government now recognize that agriculture is one of the great priorities that the budget should be focused on — it is too late to focus on it in the Speech from the Throne — although it does not have many words, less than half a page, on agricultured.

Will the minister please take the message back that we in this place, on this side, are wondering why the plight of Canadian agriculture is not characterized as a priority, and ask that it be made a priority?

Hon. Marjory LeBreton (Leader of the Government): Agriculture certainly is a major concern to the government. I hasten to point out that we have been here 100 days plus 1. The situation that the farmers in this country face did not develop just since January 23. Minister Strahl, the Minister of Agriculture is and has been working diligently with other provincial ministers of agriculture and farm leaders. Minister Strahl made several announcements in Calgary a week ago and he is working hard to resolve this problem.

I will obtain a timetable of any future payments from the Minister of Agriculture.

INTERNATIONAL TRADE

SOFTWOOD LUMBER AGREEMENT—
AID TO FORESTRY WORKERS AND BUSINESSES

Hon. Pierrette Ringuette: Honourable senators, my question is to the Leader of the Government in the Senate.

On page 19 of its election platform, the Conservative Party promised to:

Provide real help for Canadian workers and businesses coping with illegal American trade actions....We will continue to help pay the legal bills of Canadian businesses that are fighting American softwood lumber tariffs. We will support displaced forestry workers.

Commit to investing \$1 billion over five years to support Canada's softwood industry...

To date, after 100 days in office, the government has broken all of the above promises. How does this government plan to honour any of these commitments when it has forced an agreement on Canada, removing the ability to help the industry and its workers?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for the question.

As Senator Ringuette said when I was answering questions a week or so ago, "Well, at least you can read," and I do have our platform here.

• (1415)

The softwood lumber agreements were widely applauded because we finally put in place a mechanism for resolving this trade irritant that was consuming industry, governments and politicians on both sides of the border.

As the honourable senator pointed out, we have only been here for 101 days. Minister Emerson has stated that this deal protects provincial forest management policies that have been the subject of American litigation for years. It creates a framework of certainty and stability. It provides an assurance that our policies will be safe in the future.

Specific language on the anti-circumvention provisions will be carefully developed over the coming months.

SOFTWOOD LUMBER AGREEMENT—
REQUEST FOR TABLING

Hon. Pierrette Ringuette: The Conservative government may try to muzzle its caucus, but when push comes to shove, they are not honouring their commitments. This government is trying to hide the reality of the softwood agreement from Canadians.

This is the third time I have asked this question: Will the Leader of the Government in the Senate table in this house this potential softwood agreement, thus putting a dent in this culture of secrecy and refer this document for full study to the Standing Senate Committee on Banking, Trade and Commerce?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I do not think anybody who has watched me or most members of our caucus would for one moment suggest that we have ever been muzzled. Quite the opposite is true.

In any event, I will take the honourable senator's question as notice.

ATLANTIC CANADA OPPORTUNITIES AGENCY

PRINCE EDWARD ISLAND—
JOB COMPETITIONS FOR REGIONAL OFFICE

Hon. Jane Cordy: Honourable senators, my question is for the Leader of the Government in the Senate.

The Public Service Commission recently posted a public competition for a senior assistant deputy minister position for Atlantic Canada Opportunities Agency. The position is for Vice-president of the Prince Edward Island regional office.

There is great concern by federal public servants in Prince Edward Island that the posting for this position, which pays \$115,000 to \$135,000 per year, was designed by part-time ACOA Minister Peter MacKay to favour a Conservative political operative in Prince Edward Island.

Can the Leader of the Government in the Senate commit to this chamber that Prime Minister Harper will ensure that the minister responsible for ACOA will not interfere and that the proper procedure will be followed in hiring for this position?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, this question comes a day after we tried to put in place an appointments commission that would oversee an appointments process that would be transparent, fair and open to the public.

Minister MacKay is the minister responsible for Prince Edward Island. In a previous Parliament Minister Don Jamieson from Newfoundland and Labrador was the minister responsible for P.E.I. There are many precedents for ministers from other provinces being responsible for P.E.I.

There are also many past examples of when the government did not have representatives in Prince Edward Island and another government member from another province took over political responsibility for that province.

I can say quite simply that whoever is hired for this important position in ACOA, they will undoubtedly and most assuredly be a very qualified individual who will ably carry out his or her responsibilities in this post.

Senator Cordy: Honourable senators, I find it interesting that the position of vice-president of ACOA requires English essential only in language proficiency while another recently posted position for ACOA in Prince Edward Island for someone who

will work under the vice-president requires bilingual imperative language proficiency. Why is there a difference between the two postings? ACOA should not stand for "Atlantic Conservatives Opportunities Agency."

Has the position of vice-president been tailored to ensure that a friend of the minister gets the job?

Senator LeBreton: Honourable senators, this is interesting. You will get tired of hearing me say we have only been here for 101 days. I very much doubt that anybody in our government would be foolish enough to tell the Public Service Commission how to do its work.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, could the Leader of the Government in the Senate also ascertain for us while she is at it whether this ad for English only essential employment was, as the law requires, published in media in both official languages in Prince Edward Island.

• (1420)

Senator LeBreton: I will find that out for the honourable senator. The Public Service Commission is obviously responsible for hiring within the public service. I will be interested to hear what they have to say in answer to that question, because I am unaware of it myself.

PUBLIC SAFETY

FIREARMS CENTRE— CUTTING OF LONG-GUN REGISTRY

Hon. Lorna Milne: Honourable senators, my question is for the Leader of the Government in the Senate.

After the l'École Polytechnique murders, stronger gun laws were passed in 1991. In 1995, Parliament passed a law requiring all gun owners to be licensed and guns to be registered. As a result, from 1991 to 2002, the homicide rate with rifles and shotguns has fallen by 68 per cent. Recently, Tony Cannavino, President of the Canadian Professional Police Association, said that gun crimes are not committed only by handguns, and that the last six or seven police officers were killed with long guns.

With this fact in mind, I want to ask the Leader of the Government in the Senate if she believes this government's decision to do an end-run around the democratic process and eliminate the long-gun registry is a wise one?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, anyone who purchases a gun must get a licence. The media, and some people who should know better, deliberately confuse the issue of gun control and the long-gun registry.

I have learned some things from television reports about police officers on the street who deal with illegal guns that are not registered. There is a notion that there are 5,000 inquiries a day. There are 5,000 inquiries, but in that registry there are also semi-automatic guns and handguns. The fact that they make 5,000 inquiries does not necessarily mean that the inquiry has

produced any meaningful results or answers. Many police officers have said that is the case.

Gun control is a law in this country. The issue is the long-gun registry. The Auditor General pointed out not only how Parliament was deliberately misled, or even worse, but also that even when people were sent notices that their licences were revoked, 23 per cent of the notices came back as undeliverable mail. The registry has clearly not worked. No one who has known the victim of any kind of crime, but particularly a crime involving gun violence, would ever support any move to not have the strong gun control laws that we already have. These laws were brought in by Conservative governments, first, in 1934, and then again in 1991.

Senator Milne: Honourable senators, I have a supplementary question for the Leader of the Government in the Senate. If the Canadian Association of Chiefs of Police, the Canadian Professional Police Association, more than 40 women's associations, The Centre for Suicide Prevention, the Canadian Pediatric Society and the Canadian Association of Emergency Physicians all agree that the firearms registry is worth supporting, why would this government not keep one of the critical elements of this program in place? Today, the cost of registering guns in Canada is about \$15.7 million a year. About \$10 million of that represents the cost of registering rifles and shotguns.

• (1425)

Does the Leader of the Government in the Senate believe that \$10 million a year is too high a price to pay to ensure the safety of Canada's police officers? Is \$10 million too heavy a financial burden for this government to carry to assist in the prevention of crimes involving long guns in Canada?

Senator LeBreton: Would that be \$10 million hidden or not hidden? That would be my answer. In fact, in today's *Ottawa Sun* the former Chief of Police of the City of Ottawa said that the Liberals lied to him. Most ordinary people read the *Ottawa Sun* and I consider myself an ordinary person.

The fact is that criminals use illegal guns in most of the illegal acts that take place on our streets. I certainly support strong gun control laws that protect the lives of all men, women and children.

The long-gun registry does not work and it has been very costly. There is still a registry that the police can consult. I do not believe the registry has to contain the names of farmers. My father was a farmer and had a gun, but my father would never consider using that gun for any illegal purpose. I believe that the long-gun registry should be dealt with, but we should still support our very strong gun control laws.

FIREARMS CENTRE—CUTTING OF LONG-GUN REGISTRY—STATEMENT BY MINISTER

Hon. Lowell Murray: Will the minister obtain a copy of the statement, which the Minister of Public Safety and Emergency Preparedness made on this matter? I have not seen the statement, but I saw some news reports just before I came in and I have the impression, listening to the exchange, that some of the questions and, if I may say so, some of the answers, have not taken account of the statement. Would the honourable Leader of the Government obtain a copy of the statement and table it here before we adjourn?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I will get a copy of that statement. Briefly, I will run over a few of the things Minister Day announced today.

I do not have the actual statement, but can outline the immediate actions that the minister announced today. The first action is to transfer responsibility for the operations of the Canada Firearms Centre to the RCMP and the second to reduce the annual operating budget for the program by \$10 million a year. Minister Day announced the implementation of a refund and waiver of renewal fees for firearms licences and the elimination of the requirement for physical verification of long guns. A one-year amnesty will protect previously licensed owners and the owners of non-restricted firearms from prosecution and encourage them to comply with the current laws.

Honourable senator, the Liberal government had 10 years to complete this registry and it could not administer it properly. Why not give ordinary, law abiding citizens another year? The amnesty is an important part of the announcement.

[Translation]

DELAYED ANSWER TO ORAL QUESTION

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting a delayed answer to an oral question raised in the Senate by Senator Banks on April 6, 2006 in regard to funding for environmental programs.

PUBLIC WORKS AND GOVERNMENT SERVICES

FUNDING OF ENVIRONMENTAL PROGRAMS

(Response to question raised by Hon. Tommy Banks on April 6, 2006)

As Minister of Public Works and Government Services Canada, I can advise the Senator that since April of last year, my department leads and facilitates, through the Office of Greening Government Operations, the implementation of a government-wide approach to the greening of government activities.

We work very closely with many departments. Through steering groups which meet regularly, we bring together departments to make significant, measurable progress in improving the environmental performance of government operations. This includes a focus on such key areas as reducing building energy consumption, improved fleet management, and green procurement. This progress has been monitored at a high level at Treasury Board Secretariat, Environment Canada, and Public Works and Government Services Canada.

The Government, under the leadership of the Minister of Natural Resources, is putting in place a made-in Canada plan for reducing greenhouse gas emissions. It has already been announced that a few programs are winding down. Among those already announced is one program component of the Federal House in Order initiative which has

completed its work. This component provided one-time demonstration funding for energy efficient practices and renewable technologies in Government of Canada facilities. The majority of climate change programs, including the remaining program components of the Federal House in Order initiative, are undergoing a review and funding decisions have not yet been made.

• (1430)

ORDERS OF THE DAY

BUSINESS OF THE SENATE

ADJOURNMENT AND ADDRESS TO PARLIAMENT OF PRIME MINISTER OF AUSTRALIA PRINTED AS APPENDIX—MOTION ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of May 16, 2006, moved:

That at 2:30 p.m. Thursday, May 18, 2006, if the business of the Senate has not been completed, the Speaker shall interrupt the proceedings to adjourn the Senate;

That should a vote be deferred until 5:30 p.m. on Thursday, May 18, 2006, the Speaker shall interrupt the proceedings at 2:30 p.m. to suspend the sitting until 5:30 p.m. for the taking of the deferred vote;

That the Address of the Prime Minister of Australia, to be delivered in the Chamber of the House of Commons at 3:00 p.m. that day before Members of the Senate and the House of Commons, together with all introductory and related remarks, be printed as an Appendix to the *Debates of the Senate* of that day, and form part of the permanent records of this House; and

That when the Senate adjourns on Thursday, May 18, 2006, it do stand adjourned until Tuesday, May 30, 2006, at 2:00 p.m.

Motion agreed to.

THE SENATE

MOTION TO CONGRATULATE HER MAJESTY QUEEN ELIZABETH II ON EIGHTIETH BIRTHDAY ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of May 16, 2006, moved:

That the Senate send an Address to Her Majesty Queen Elizabeth the Second, expressing the heartiest good wishes and congratulations of all Senators on the occasion of her eightieth birthday.

He said: Honourable senators, I think that we all agree that Her Majesty is a remarkable woman. She was born on April 21, 1926, daughter of the Duke of York, who later became King George VI.

As a young woman during the Second World War, Princess Elizabeth joined the British army and became a symbol of hope. At the age of 21, she pledged that her whole life, be it short or long, would be devoted to serving the people of the Commonwealth.

Her Majesty has deep respect and admiration for Canada and its people, and we have deep respect and admiration for our Queen. It is therefore a very great honour for me, seconded by Senator Fraser, to move this motion marking the birthday of Her Majesty Queen Elizabeth II, Queen of Canada.

[English]

Hon. Joan Fraser (Deputy Leader of the Opposition): I want to add my voice to that of Senator Comeau.

Honourable senators will be familiar with the phrase "Your Gracious Majesty." I can think of no one to whom the adjective applies more appropriately than to Queen Elizabeth II. She is indeed a woman of rare grace, rare elegance and rare dedication to duty, who has in her long and distinguished reign shown particular affection for this country. We on this side are pleased to support the motion.

Hon. Anne C. Cools: Honourable senators, I rise to join today with colleagues in wishing Her Majesty, Queen Elizabeth II, the Queen of Canada, a happy birthday. Queen Elizabeth turned 80 on April 21. Next Monday, May 22, commonly described as the Queen's birthday, or Victoria Day, Canadians will formally celebrate the Queen's birthday. Next Monday was chosen by the Royal Proclamation as a formal day of celebration of Queen Elizabeth's birthday. I would like to put that proclamation on the record, and I am reading from the *Canada Gazette* of February 27, 1957.

QUEEN'S BIRTHDAY

Proclaimed for Celebration

VINCENT MASSEY

CANADA

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories, QUEEN, Head of the Commonwealth, Defender of the Faith.

TO ALL TO WHOM these Presents shall come or whom the same may in anywise concern — GREETING:

A PROCLAMATION

WHEREAS Our birthday falling on the twenty-first day of April it is thought fit to appoint the first Monday immediately preceding the twenty-fifth day of May as the day on which Our birthday is to be officially celebrated in Canada in 1957 and each year thereafter.

NOW KNOW YE that we do hereby proclaim and declare by this Our Proclamation that the first Monday immediately preceding the twenty-fifth day of May is hereby fixed for the celebration in Canada of Our birthday in the year of Our Lord one thousand nine hundred and fifty-seven and each year thereafter.

[Senator Comeau]

OF ALL WHICH Our Loving Subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness: Our Right Trusty and Well-beloved Counsellor, VINCENT MASSEY, Member of Our Order of the companions of Honour, Governor General and Commander-in-Chief of Canada.

AT OUR GOVERNMENT HOUSE in Our City of Ottawa, this Thirty-first day of January in the year of Our Lord, One thousand nine hundred and fifty-seven and in the Fifth Year of Our Reign.

By Command,

C. STEIN,

Under Secretary of State.

GOD SAVE THE QUEEN

Honourable senators will know that I am pained by the systematic erosion of the monarch and the monarchical system in Canada, and that I uphold the Royal Family at all times. My commitment to Her Majesty began when she was still a young woman and I a young child. I recall most vividly her coronation in 1953. Her Majesty too then took an oath, the Coronation Oath, swearing a commitment to her subjects, to mercy, to justice and to God.

I was then a child of nine years, in Barbados, the British West Indies, in the first form of my school, Queen's College, the oldest girls' school in the British Empire. The school was situated on many acres of land, with games fields, hockey fields and three tennis courts, named Queen's College in honour of Queen Victoria.

In honour of the coronation of Queen Elizabeth II, my school, Queen's College, staged a pageant, an outdoor play, in which one student, an upper form girl, dramatically mounted side-saddle on a horse, played Queen Elizabeth I delivering her inspiring address to her own troops poised for battle at Tilbury in 1588, as they awaited the approach of the Spanish Armada. Queen Elizabeth I said:

I know I have the body of a weak and feeble woman, but I have the heart and stomach of a king and of a king of England too; and think foul scorn that Parma and Spain, or any prince of Europe, should dare to invade the borders of my realm.

Queen Elizabeth I then told her troops that leadership is about heart and stomach, lion-heartedness in duty and service to God, Queen and country.

Honourable senators, those words influenced my life profoundly. At the time of that pageant, in celebration of the coronation in 1953, I had one particular school mistress who had actually attended the coronation ceremony at Westminster in London, on June 2, 1953. I vividly recall her accounts of the

event. That school mistress was Grace Adams, the wife of one of the leading political figures of Barbados, later premier, and later Sir Grantley Adams, when she became Lady Grace Adams.

Honourable senators, my childhood was dotted with her accounts of great public men, public service and civic responsibility. I also vividly remember that same school mistress giving accounts of the great British social reformers, parliamentarians like William Wilberforce and Lord Shaftesbury.

Honourable senators, I am an ardent supporter of Her Majesty, and of our system of government known as constitutional monarchy. The Queen, Her Majesty, is the actuating power in our Constitution. For all bills that we pass she is the enacting power. It is Her Majesty's Royal Assent that gives the bill the force of law. The seat of government in Ottawa is Government House. The Parliament of Canada is the Senate, the House of Commons and the Queen. Her Majesty the Queen is the *caput*, *principium*, *et finis*, that is, the head, the beginning and the end of Parliament, hence the term the Queen in Her Parliament.

Honourable senators, I have looked for a quotation that embodies the importance of Her Majesty in Parliament in our Constitution. I would like to put on the record a statement from Benjamin Disraeli, the Prime Minister of the United Kingdom in the late 1800s. In his 1852 book, *Lord George Bentinck: A Political Biography*, he described the true force and meaning of the enacting power of the Royal Assent by the Queen. He wrote:

As a branch of the legislature whose decision is final, and therefore last solicited, the opinion of the sovereign remains unshackled and uncompromised until the assent of both houses has been received. Nor is this veto of the English monarch an empty form. It is not difficult to conceive the occasion when, supported by the sympathies of a loyal people, its exercise might defeat an unconstitutional ministry and a corrupt parliament.

Honourable senators, I always try to make the point that the actuating power in our Constitution is Her Majesty and it is very real: It is no vestige, it is no ornament and it is no ceremonial fact.

• (1440)

Honourable senators, I should like to wish Her Majesty Queen Elizabeth, the daughter of King George VI and Queen Elizabeth, the Queen Mother, a very happy eightieth birthday. I should also like to take the opportunity to wish her many more happy birthdays.

I thank her, her husband and her family for the many decades of dedication, commitment and service to her people, subjects in Canada. I also thank her and her family for the leading role that they played during the Second World War in sustaining the British people and the British Empire people who carried that war by themselves for several years. I thank her for all of that.

Honourable senators, Canadians young and old, veterans and non-veterans, men and women, hold Her Majesty in deep affection. I say, "God bless the Queen." I say, "Long may she reign over us," — very, very long — and I say, "She has a special place in my heart and in my head," and I would submit in the hearts and the heads of many Canadians.

If honourable senators doubt that, we should have witnessed Juno Beach a couple of years ago when all eyes of our veterans were on Her Majesty. All eyes were on Her Majesty, Queen Elizabeth II, because of her long connection to history, her long connection to Canada, and the role that she herself and her parents especially, the Queen Mother and King George VI, played in sustaining Canadians through a terrible time of warfare when Canadian men and women were engaged in the theatres of war.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

FUNDING FOR TREATMENT OF AUTISM

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Munson calling the attention of the Senate to the issue of funding for the treatment of autism.—(*Honourable Senator Di Nino*)

Hon. Ione Christensen: Honourable senators, I wish to thank Senator Munson for raising the inquiry on autism. Incidence of ASD, in all its many forms, is now prevalent in one out of every 106 children. In the 1970s it was rarely diagnosed. It is now 10 times what was experienced just 20 years ago.

Certainly, the challenges are many. Be it autism, FASD, schizophrenia, MPS or Down's syndrome, just to name a few, the children with these damaged brains and bodies are often referred to as "the angels among us." In the past, they were often not long with us, but their short lives always left a bright, shining light and they were never forgotten. Their intellect, their loving nature through adversity, their insight into what life is all about and their happiness with small things were gifts that helped others to grow. However, all of this came at a huge cost to the child, to the parent and to society.

With research and medical advances, these angels are living longer. As a result, the financial needs to help them to be productive members of society are much more than any family can realistically cope with, and the limited coverage under provincial health care programs is nowhere near enough.

In the United States, the federal funding has more than tripled in the past 10 years for autism; it is now over \$100 million. However, by comparison, \$500 million was spent on childhood cancer, which affects even fewer children.

There are programs that do work, but they require one-on-one therapy, which is hugely expensive and offers no ongoing medical coverage. Parents must literally mortgage their lives to provide for these needs.

With Maroteaux-Lamy syndrome, or MPS, the cost of replacement enzyme treatment is \$200,000 a year, and that is not covered by any of our health care systems. MPS is an enzyme deficiency that is very rare; there are only 10 cases in Canada, but I personally know of two of them — one in the Yukon and one in Ontario.

The cost of FASD to Canadians is upwards of \$344 million a year. The cost for each person affected with FASD is \$1 million over their lifetime. There are 4,000 new cases of FASD every year in Canada. Can we really put off taking action?

I believe that Senator Munson will be asking the Standing Senate Committee on Social Affairs, Science and Technology to undertake to study the financial needs and how they can best be addressed. What better than a Senate committee? However, we should be looking at all afflictions that fall outside of our health care guidelines. There is a great need.

There should be a special health care fund established to deal with these very special, difficult and extremely expensive requirements. It could be of national scope, and available for provinces and territories to draw from.

Over and above the treatment expenses, research chairs should be established to deal with the prevention — as in the case of FASD — and the causes and the cures in the cases of ASD and MPS. With modern medicine, these children are becoming adults. With care and nurturing, they, for the most part, can be functional and productive in society. It will be very costly, but without such assistance they will become non-functional adults and will be dealt with through institutions, both criminal and otherwise, that is also very costly, I would argue even more costly than helping in the first instance.

Governments of all stripes are not good at committing to long-term programs, but this is one area where funding must be ongoing to be of any help or assistance. We must find ways to accommodate the need. The burden on a parent to help such children is enormous. The responsibility to help these angels rests with all of society and the governments that society puts in place to represent them.

Hon. Madeleine Plamondon: Would the senator accept a question?

Senator Christensen: Yes.

Senator Plamondon: What does the honourable senator mean by “being productive in society”? I have the feeling that if we are to obtain funding, we must always include the buzzwords “productive in society.”

Not every Canadian will be able to be productive and they will still need care. Could the honourable senator elaborate more on what she means by “productive”?

Senator Christensen: I thank the honourable senator for the question.

Without any assistance in providing for treatment and therapy, all of those children will grow up as a burden on society. With assistance and care, some of those children will be able to function well in society. For example, Fetal Alcohol Syndrome Disorder is preventable but, once afflicted, a child will be a burden on society and will need ongoing assistance for life. If the inquiry is referred to committee for further study, the area of funding for ongoing assistance will certainly be a focus. The honourable senator is right when she says that being a productive member of society is not the be-all and end-all. However, many people need continuing assistance and that must be built into the program as well.

On motion of Senator Di Nino, debate adjourned.

• (1450)

CANADA'S COMMITMENT TO DARFUR, SUDAN

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Dallaire calling the attention of the Senate to the situation in the Darfur region of Sudan and the importance of Canada's commitment to the people of this war-torn country.—(*Honourable Senator Nancy Ruth*)

Hon. Nancy Ruth: Honourable senators, our government is committed to doing all that it can to achieve peace in Sudan. This continues to be a major policy initiative and priority for Canada. To provide context to the situation, it is helpful to consider the background of the region, its history and the current situation.

Honourable senators, Sudan is the largest African country and has the sixth largest population. It has been embroiled in conflict for almost half a century and has suffered tremendous instability. Establishing peace in the eastern African region requires addressing and resolving the instability throughout all of Sudan, the impact of which is not confined to national borders. The situation in Sudan must also be addressed and resolved in the context of both the region and the continent. We cannot hope to end the plight of the people of Darfur and the rape of women and girls outside the context of peace in the whole of Sudan. This is reflected in Canada's approach.

Honourable senators, this past January marked the anniversary of the signing of the Comprehensive Peace Agreement, which effectively ended Sudan's long-standing north-south civil war. The conflict had a devastating toll, taking an estimated two million lives and displacing upward of four million people. Despite the peace agreement, impacts of the war continue to be felt, and a massive and ongoing Sudanese and international effort is required to build the necessary infrastructure to support long-term development in the region and to ensure that it does not lapse into conflict again. Canada is proud to have played a part in the role of the peace process that ended the north-south conflict and is continuing this role, including through our participation in the United Nations peacekeeping force, which has been deployed to oversee the agreement.

At the recent Sudan Consortium, hosted by the World Bank in Paris, Canada announced that it was ahead of schedule in disbursing its pledge of \$90 million in support of the consolidation of peace in Sudan. This funding includes \$40 million for humanitarian assistance over two years; \$10 million for peace-building and good governance initiatives; and \$40 million to support the full implementation of the CPA and reduce poverty. Nearly one third of the \$90-million pledge is specifically earmarked to help the people of Darfur.

Honourable senators, the United Nations estimates that the violence in Darfur, western Sudan, has displaced roughly two million people and killed tens of thousands. Today, 200,000 refugees are living in camps in Chad in increasingly unstable conditions. Canada remains deeply concerned by the continuing violence, the persistent culture of impunity and especially by the attacks on civilians in Darfur. Continuing violence in Darfur has been in violation of the 2004 ceasefire agreement. Canada congratulates the parties on the signing of the Darfur Peace Agreement and is encouraged by the prospect of an end to the violence and a peaceful future for the people of Darfur. I commend Canadian officials on the ground in Abuja who have put forth such a tremendous effort to assist the process both in Africa and at the United Nations in New York.

Canada has provided both financial and diplomatic support throughout the peace process. In particular, Canada has contributed to the mainstreaming of gender as a crucial component to the Darfur peace talks and has provided support to the African Union to integrate gender concerns into the peace agreement. The Darfur Peace Agreement makes significant progress on the issues that are important, such as political participation, wealth sharing, humanitarian, development and infrastructure needs, integration of former combatants into security institutions, democracy building, assistance to the displaced and, most important, an end to the violence and rape.

Canada commends the tireless efforts of the African Union mediation team, which has been instrumental in the progress achieved thus far. Reaching an agreement is only the first step and implementation and reconciliation must follow quickly. Canada will be there to support both. As part of our efforts to promote reconciliation and end impunity in Darfur, Canada is a strong advocate of the United Nations Security Council's referral of the Darfur situation to the International Criminal Court and was the first and only nation to make a \$500,000 voluntary contribution to assist with the investigation. Canada welcomes the UN Security Council decision as an important step toward addressing the serious crimes alleged by all parties to have been committed in Darfur. We are confident that the International Criminal Court investigation will contribute to establishing a lasting peace for the people of Darfur.

Canada has supported the establishment of peace and stability in Darfur. The African Union took the lead in the international effort to resolve the conflict by deploying a multinational force of over 7,700 military police and civilian personnel. The African Union Mission in Sudan, AMIS, is mandated to encourage the parties to live up to their agreements, to provide protection to civilian populations and to establish the conditions necessary for

the successful implementation of political agreements. Canada has assumed an internationally recognized leadership role in support of the African Union's peacekeeping mission, which was motivated by and is consistent with the principles of R2P — the responsibility to protect.

Canada is currently one of the mission's top donors. Our contributions to AMIS total \$170 million in logistical, financial and materiel support necessary to allow the mission to fulfil its mandate. Canada has supplied helicopters, fixed-wing aircraft and armoured personnel carriers to provide the necessary mobility for the force's effectiveness. Canada is continuing to provide military police and civilian experts to assist in the carrying out of their operations. The AU mission has achieved much under exceptionally difficult circumstances that would have taxed even the most experienced and well equipped international force. Both the AU and the wider international community have recognized that the time is right for a new phase of international engagement.

• (1500)

The situation demands a new level of international engagement and has led to a request from the African Union to the United Nations to begin planning for the transition of the AU mission to a UN mission. This mission will integrate a peacekeeping force with ongoing, humanitarian, political and development efforts into one cohesive package. The UN planning effort is well underway. We welcome the AU's request to the UN. We will continue to work closely with both organizations and our international partners to provide the necessary support to succeed in the process.

This UN mission will be able to secure greater humanitarian access, which has to this point been unacceptably restricted, putting at risk the lives of hundreds of thousands of Darfurians who depend on this assistance.

Canada continues to urge the Government of Sudan to provide unhindered access to aid workers, as previously agreed to, so that the international community can provide assistance where needed.

Canada remains deeply concerned about continuing violence and impunity in Darfur, particularly sexual and gender-based attacks against civilians. Canada has sought to ensure that protection of civilians would be included in UN peacekeeping mission mandates and we are pleased that has been the case in the last seven missions, including the United Nations mission in Sudan. The important component should be maintained in the new mission's mandate.

The mandate of the current African Union Mission in Sudan covers monitoring and observation, participation and confidence-building measures, and the creation of a secure environment. In addition, the mandate authorizes the use of force to protect civilians under imminent threat of violence, similar to Chapter VII of the Charter of the United Nations. Canada will work to ensure that the mandate of a prospective United Nations force is similarly robust.

We support the full and timely implementation of all measures agreed to by the Security Council, including the use of targeted sanctions regarding the serious human rights and humanitarian situation in Darfur.

Canada welcomes the recent designation of four individuals for targeted sanctions as a first step. Those who impede the peace process or constitute a threat to stability in Darfur and the region cannot go unpunished. In keeping with all of our Sudan approach, Canada is closely monitoring the situation in eastern Sudan and we recognize the need for ongoing peace talks.

The humanitarian situation in this region is of great concern and again Canada calls for unhindered access by international aid agencies to those in need in Sudan. Canada is also working to promote longer-term stability and reconstruction in Sudan by helping to build new government institutions and promote federalism.

We assist civil society organizations and local grassroots community networks on projects that promote human rights, good governance, access to justice and conflict resolution.

In conclusion, honourable senators, we are working in co-operation with the people of Sudan and our international partners to ensure that the future of Sudan is peaceful, democratic and prosperous. This is imperative for Sudan, vital for peace in Africa, and a priority for Canada.

[Translation]

Hon. Roméo Antonius Dallaire: Honourable senators, would the honourable senator accept a question on the content of her presentation that reflected the historic participation of Canada? Like so many other developed countries, we are latecomers, as the people of Darfur were suffering for almost two years prior to the start of this movement to provide aid and security. A decision has been taken not to intervene but, on the contrary, to support the African Union. For one of the first times, the latter has begun to respond to the urgent need for security in this country.

However, as you indicated, the capabilities of the African Union are now very limited. We can support the operation. And, in this context, the urgent need for a United Nations presence on the ground cannot be minimized. Six million people are living in extreme poverty and continue to be the victims of rape and attacks by subversive elements.

Do you not believe that Canada, having supported the African Union, should request a more robust role and a much more concrete and specialized deployment? With the involvement of the United Nations, should Canada now propose a military presence that will also assist with the humanitarian work being carried out in the field?

[English]

Senator Nancy Ruth: It is my understanding that it is up to the United Nations to decide and it is Canada's intention to support the decision.

Senator Dallaire: That is technically correct, except when the UN is preparing a mission it speaks informally to the contributing countries and asks whether those countries are interesting in participating in building the force. That informal discussion happens in parallel with discussion of the mandate in the Security

Council. Once the mandate is approved, a formal request is submitted to those countries that have demonstrated an interest in deploying.

Do you not think that Canada, in both the informal and formal process, should have been offering capabilities to form the backbone of a force of developing countries that have neither the skills nor the equipment to do the job properly?

The Hon. the Speaker: Honourable senators, is it the will of the house that the time of Senator Nancy Ruth, which has expired, be extended for five minutes?

Hon. Senators: Agreed.

Senator Nancy Ruth: I think that everyone in this chamber is concerned about Senator Dallaire's comment. I know that Canada is the third-largest donor to the peace process in Darfur. It is a situation that the government is monitoring closely minute by minute.

On motion of Senator Fraser, debate adjourned.

PUBLIC SAFETY

FIREARMS CENTRE— CUTTING OF LONG-GUN REGISTRY— STATEMENT BY MINISTER—DOCUMENTS TABLED

Leave having been given to revert to Tabling of Documents:

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I wish to table, in response to the question of Senator Murray, a press release of earlier today from Minister Stockwell Day, Minister of Public Security and Emergency Preparedness, along with questions, answers and statistics on the long-gun registry and frequently asked questions on changes to the firearms program.

THE SENATE

MOTION TO TELEVISION PROCEEDINGS— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the Honourable Senator Keon:

That whenever the Senate is sitting, the proceedings of the upper chamber, like those of the lower one, be televised, or otherwise audio-visually recorded, so that those proceedings can be carried live or replayed on CPAC, or any other television station, at times that are convenient for Canadians.—(Honourable Senator Fraser)

Hon. Jim Munson: This is Senator Jim Munson reporting live from the Senate chamber.

Does that not encourage you, honourable senators, or perhaps scare you?

[Senator Nancy Ruth]

• (1510)

Honourable senators, now that I have your attention, a month ago, we heard from my friend Senator Hugh Segal, who put forward a motion to broadcast proceedings in the Senate. I wish to speak in favour of this motion.

Some Hon. Senators: Hear, hear!

Senator Munson: I come at this issue from two angles. First, I look at this subject from the point of view of a former journalist and as a believer in transparency in our democratic institutions. Second, I have a more self-serving angle as a senator who wants to strengthen this proud institution and to make more Canadians aware of the good work that we do here. Some senators are laughing.

The first point, that of transparency, is a vital one. Canadians, more than ever, expect parliamentarians to be accountable, to show openly what they are doing to make this country better. This is entirely reasonable, and we have the technology and the means at our disposal to meet this expectation.

A well-informed public is in everyone's best interest. Although print media covers some of what we do in this chamber, our actual work is filtered by journalists, editors and producers who decide what is newsworthy. This does not fully meet the need for transparency that Canadians expect.

I believe that by broadcasting our debates, by being more transparent, we will strengthen this institution by being more accountable. I also believe that televising, radio broadcasting, webcasting, and let us not forget the newest and, I am sure, the most popular format amongst my colleagues podcasting our debates will strengthen this institution because of the quality of the debate that goes on here.

Honourable senators know the qualities that make the Senate unique. We are representative of different regions. We have better representation from women and Aboriginal people. We all bring to the Senate a wealth of personal and professional experience that, in many cases, is non-political, and none of us are driven by the desire for re-election when it comes to our position on certain bills or policies.

I believe that these qualities elevate the tone and breadth of our debate. Take, for example, the debate on stem cell research that took place a while ago in this chamber. To hear former Senators Morin and Roche speak to that bill in such a knowledgeable way, I was profoundly moved by what they were saying. Stem cell research is a complex issue and what they said was illuminating for me. I can think of many more examples. I was privileged and moved when I first arrived here and heard former Senator Chalifoux speak about the rights of Aboriginal people and to hear Senator Keon speak about his passion for health care reform.

All Canadians would benefit from hearing these debates. Canadians will see how the work in this chamber is more focused on what is best for this country, and is notably less partisan in its approach. Many times, different sides of the chamber agree on issues, and my support of Senator Segal's

motion is only one example. We have a unique and viable way of working together, which is expressed through constructive debate.

I know there has been some concern about senators using the cameras as an opportunity to perform or showboat. From my experience in television, I do not believe that will be the case. I regret to inform honourable senators that bringing cameras into the chamber will make us more accountable, but will not win us any Gemini awards, although we may get letters of thanks from insomniacs who find a cure by watching some of our drier debates and discussions.

The bottom line is that the Senate is not a private club. The Senate is a place where wise people say wise things, and Canadians should be aware of them. I heartily support Senator Segal's motion, and I urge all honourable senators to do the same.

My only concern on this issue is the logistical requirements of broadcasting our proceedings. A debate on this issue could rage on for months. I believe it is necessary for a committee to review this issue as quickly as possible. For example, there is one idea that perhaps, as an experiment, we could have broadcasting of Question Period only to see how that works.

Honourable senators, this is an issue that must go to a committee to get a proper understanding of costs, logistics and benefits. With a report coming out of the committee, I believe senators will be better informed to debate this issue than they are at the current time. We must move into the future. The future is now, and broadcasting is now. Broadcasting must happen in this place. It happens in town halls and city halls across this country. People are watching their politicians at work. What are we afraid of? Let the cameras in.

MOTION IN MODIFICATION

Hon. Jim Munson: Therefore, I move:

That, pursuant to rule 48(1), the question be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament.

The Hon. the Speaker: Honourable senators, it is quite in order, pursuant to rule 48(1), that when any question is under debate in the chamber, an honourable senator may move an amendment to that motion, but also may move that the question that is before the house be referred to a Senate standing committee. This is what Senator Munson has just done.

Therefore, it is my duty to formally put the question. It was moved by Senator Munson, seconded by Senator Peterson, that pursuant to rule 48(1), the question be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament.

This motion is now debatable or adjournable. That is the question that is now before the house.

Hon. Terry Stratton: Honourable senators, there is a point here, Your Honour. When this normally takes place, you, as Speaker, stand up and state that if the last speaker who spoke actually has a statement, that closes debate; did you do that, sir?

The Hon. the Speaker: No, I explained the procedure correctly; namely, that when a matter is before the house, such as this matter, the matter can be amended by the senator who has the floor at that time, or the matter can be referred by way of motion by the senator who has the floor. That is what has been done.

The motion that is before the house is the motion to refer the question to the Senate Standing Committee on Rules, Procedures and the Rights of Parliament. It is debatable, amendable, adjournable, et cetera.

On motion of Senator Tkachuk, debate adjourned.

• (1520)

ABORIGINAL PEOPLES

MOTION TO AUTHORIZE COMMITTEE TO STUDY SPECIFIC CLAIMS PROCESS— ORDER STANDS

On Motion No. 63, by the Honourable Senator St. Germain:

That the Standing Senate Committee on Aboriginal Peoples, in accordance with rule 86 (1)(q) of the Senate, be authorized to examine and report on the general concerns of First Nations in Canada related to the federal Specific Claims process, the nature and status of the Government of Canada's Specific Claims policy, the present administration of the policy, the status of the Indian Specific Claims Commission, and other relevant matters with a view to making recommendations to contribute to the timely and satisfactory resolution of First Nations' grievances arising out of both their treaties with the federal Crown and the Government of Canada's administration of their lands, monies, and other affairs under the *Indian Act*.

That the Committee report to the Senate from time to time, but no later than June 14, 2007 and that the Committee retain until September 1, 2007, all powers necessary to publicize its findings.

Hon. Mac Harb: If honourable senators, and in particular, Senator St. Germain, look at the motion as it stands, namely, the line where we talk about "other relevant matters," I would like to insert a friendly amendment to this motion, to read as follows:

Noting that specific claims arise from the Government of Canada's possible breach or non-fulfillment of lawful obligations found in the treaties and the Government of Canada has yet to acknowledge and recognize that the historical fact that the first people, Indian and Inuit, were the first people to inhabit the land and cultivate its natural resources such as furs, wood, growing of corn and the making of trails through the wilderness; in the Arctic, further recognition that the —

The Hon. the Speaker: Senator Harb, if we are to get this matter before us, someone must move the motion. It has not been moved yet.

Senator Harb: I saw the order on the Order Paper.

The Hon. the Speaker: It has yet to be moved, though. Do you wish to move the motion?

Senator Harb: Yes.

The Hon. the Speaker: You are moving it in the name of Senator St. Germain?

Senator Harb: No, in my name.

The Hon. the Speaker: Well, it is his motion. I am trying to be helpful. I think it is best that the matter stand for today and we let the mover of the motion move it.

Order stands.

NATIONAL FINANCE

COMMITTEE AUTHORIZED TO RECEIVE PAPERS AND EVIDENCE ON STUDY OF MAIN ESTIMATES, 2005-06 IN THIRTY-EIGHTH PARLIAMENT

Hon. Joseph A. Day, pursuant to notice of May 16, 2006, moved:

That the papers and evidence received and taken and the work accomplished by the Standing Senate Committee on National Finance during the First Session of the Thirty-Eighth Parliament as part of its study of the Estimates for the fiscal year ending March 31, 2006 be referred to the Committee for the purposes of its study of the Estimates for the fiscal year ending March 31, 2007, as authorized by the Senate on Wednesday, April 26, 2006.

He said: Honourable senators, I do not think that extensive discussion need take place on this. If any senator has a question, I would be pleased to answer it. This motion allows for the evidence and the material gathered by the Standing Senate Committee on National Finance in the previous year before the election to be referred to our committee to be dealt with in our study of the estimates this year.

We would like to make some comparisons. Also, we would like to have referred to our committee work we did in the previous government when we had the mandate and the reference to study the previous estimates.

Hon. Anne C. Cools: Honourable senators, I am prepared to see this go ahead, but in order for the Senate to refer papers to a committee, it ought to have them. A lot of this is going on, honourable senators.

I should like to urge committees in general, when they are coming to a close or there is a dissolution or imminent prorogation, to submit an interim report of two or three paragraphs to the Senate. The Senate will then be in possession of all the evidence. I have been waiting for an opportunity to make this point; maybe I should do it more formally. That is the proper way to proceed. We often refer papers to committees that we do not have in our possession. When I serve on a committee I always nudge the committee to make reports to the Senate, and, Senator Day, we will nudge you to have those reports in to the Senate so that the Senate will receive the information that the committees will later ask the Senate to refer to them.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

[Translation]

ANTI-TERRORISM ACT

SPECIAL COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Pierre Claude Nolin, pursuant to notice of May 16, 2006, moved:

That the Special Senate Committee on the Anti-terrorism Act be empowered, in accordance with Rule 95(3), to meet on Monday, May 29, 2006, even though the Senate may then be adjourned for a period exceeding one week.

He said: Honourable senators, I am ready to reply to any questions that my colleagues may have, but I believe that this motion is self-explanatory. It is a question of hearing one or two ministers. We do not know yet at what time we will listen to them, but with the permission of this chamber, we will do so on May 29.

Hon. Fernand Robichaud: Honourable senators, have we not already adopted a motion to that effect?

Senator Nolin: I do not know the answer to that question.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, if memory serves me, the motion we adopted does not apply to special committees, and this is a special committee.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

[English]

THE SENATE

MOTION TO URGE GOVERNMENT TO PROMOTE SMOKE-FREE WORKPLACES AND PUBLIC AREAS— DEBATE ADJOURNED

Hon. Mac Harb, pursuant to notice of May 16, 2006, moved:

That the Senate takes note that tobacco smoking continues to cause an estimated 45,000 Canadian deaths and to cost our economy up to \$15 billion each year;

That the Senate notes that current federal legislation allows for ventilation options and smoking rooms in workplaces under federal jurisdiction even though they do not provide full protection from second-hand smoke and

that full protection from second-hand smoke can only be achieved through the creation of workplaces and public places that are completely free of tobacco smoke;

That the Senate urges the Government of Canada to pass legislation to ensure that all enclosed workplaces and public places under its jurisdiction are smoke-free;

That the Senate ask the Government of Canada to call upon each province and territory that has not yet done so to enact comprehensive smoke-free legislation; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

He said: Honourable senators, I am honoured to rise today to ask for your support for a motion that will update legislation protecting Canadians from the dangers of second-hand smoke. I thank Senator Keon for seconding this motion.

Specifically, we ask the federal government to put in place an effective, nation-wide prohibition on the use of ignited tobacco products in enclosed places and workplaces under its jurisdiction.

In Canada, public health and occupational health and safety are shared responsibilities between federal and provincial and territorial governments, with some of these responsibilities passed down to the municipalities. For this reason, the motion also calls on provincial and territorial governments who have not yet provided adequate protection for their citizens to do so.

Honourable senators, I ask you to imagine with me for a moment that the year is 1985, and we are here in the Senate chamber preparing to participate in the business of the day. In these historic chambers, not much has changed since 1985. Other than the width of the ties and the length of the skirts, much is the same. Certainly, the predominance of Liberal senators is the same. What is not the same is the air that you are breathing. As some esteemed colleagues will remember, until the late 1980s, smoking was commonplace in the offices, hallways and meeting rooms here on Parliament Hill.

[Translation]

There is no doubt in my mind that making the Parliamentary Precinct smoke-free was the right thing to do. Indeed, I think most of us would agree that making all of Canada's enclosed workplaces and public places smoke-free is the right thing to do.

Currently, Canada's federal Non-smokers' Health Act controls the use of tobacco in federal buildings and on federal property or federally managed lands. This includes places of work and business such as financial institutions, airports, airplanes, interprovincial trains, and telecommunications facilities.

[English]

Unfortunately, honourable senators, this 20-year-old occupational health and safety legislation, and its regulations, still permits designated smoking rooms or smoking areas in many of these federally regulated workplaces and public places. This outdated legislation puts Canadians and their health at risk.

• (1530)

Let us consider for a moment that smoking is the single most serious public health problem in Canada, killing more Canadians than car accidents, murders, suicide and alcohol combined. Smoking results in 45,000 deaths every year in Canada. Tragically, thousands of those deaths are non-smokers who die from smoke-related lung cancer or heart disease.

The evidence about the risk of passive smoking is too compelling to ignore. Honourable senators may be surprised to learn that second-hand smoke is even more toxic than smoke inhaled directly because it is completely unfiltered. Second-hand smoke contains 4,000 chemical compounds, at least 50 of which cause or promote cancer. The United States Environmental Protection Agency has declared second-hand smoke a Class A carcinogen. "Class A" means there is literally no known safe level of exposure.

Highly respected organizations such as Physicians for a Smoke-Free Canada, the Canadian Cancer Society, the Canadian Coalition for Action on Tobacco, and the Canadian Global Forum on Tobacco Control, are calling for a nation-wide ban on second-hand smoke.

In 2004, Ireland became the first country in the world to go smoke-free. Ireland was followed by Norway, New Zealand, Bhutan and Scotland. As many as 20 countries are currently working towards smoke-free enclosed workplaces and public places.

[Translation]

Protecting people who are involuntarily exposed to environmental tobacco smoke in enclosed workplaces and public places must be a number one priority for every government in every jurisdiction in Canada.

Federal, provincial and territorial Ministers of Health are committed to working together to reduce tobacco consumption in Canada. Smoke-free work and public places are necessary elements of that commitment.

Many of you will know that Canada was one of the early ratifiers of the World Health Organization's Framework Convention on Tobacco Control which we passed in November 2004. As Party to this Convention, we agreed to abide by Article 8 which states:

Each Party shall adopt and implement in areas of existing national jurisdiction as determined by national law and actively promote at other jurisdictional levels, the adoption and implementation of effective legislative, executive, administrative and/or other measures, providing for protection from exposure to tobacco smoke in indoor workplaces, public transport, indoor public places and, as appropriate, other public places.

[English]

For the most part, honourable senators, Canada is well on its way to meeting these requirements. To quote the Framework Convention on Tobacco Control monitoring report, published in February 2006:

All levels of government in Canada have given political and financial support to tobacco control initiatives. These strategies have led to significant reduction in tobacco use in recent years.

Smoking rates in Canada are dropping, down to 20 per cent in 2005, and the number of young people starting to smoke, while still high, is decreasing as well. We must take our tobacco control strategy to the next level, to build on these successes.

Honourable senators, the city we call home, at least part-time these days, is smoke-free. Ottawa banned smoking in all enclosed workplaces or public places almost five years ago. Many come from cities or towns that have taken similar actions to prevent the dangers of second-hand smoke from affecting workers and innocent Canadians.

It is important to note that smoke-free policies do more than protect workers. These policies help to reduce overall smoking behaviour. They generate increased awareness about tobacco issues and they change the way people think about smoking.

There is a momentum building now in jurisdictions across Canada to create and maintain smoke-free spaces. Currently, 27 per cent of Canadians are living in communities where provincial, territorial or municipal law protects the public from second-hand smoke exposures in public places, including bars and restaurants.

By January 1, 2007, 80 per cent of Canadians will have this level of protection, but unfortunately 20 per cent will not, and an unacceptable number of these unprotected workers fall under federal jurisdiction.

While most federal workers are protected from second-hand smoke through Treasury Board policies, or because their employers respect existing provincial or municipal bans on smoking at work, others are not so lucky. There is less protection in some federally-regulated facilities, such as airports, than in municipalities in which they are located.

Honourable senators, one need go no further than the Ottawa International Airport. As I stated earlier, Ottawa has been completely smoke-free since 2001. A glaring exception is the airport, because it is under federal jurisdiction for matters of occupational health and safety. There are two smoking rooms at the Ottawa airport. Even when the new Ontario law comes into force on May 31, 2006, there will still be smoking rooms at the airport and other airports across Canada. They are all under federal jurisdiction. We need legislative action to ban smoking in airports and all other locations under federal jurisdiction.

The federal government must bring its own legislation up to the higher standards being set by other jurisdictions. It will be necessary to revise the Non-smokers' Health Act and/or the Canada Labour Code to prohibit smoking in all federally-regulated indoor workplaces and public places.

[Translation]

The Yukon, Alberta, British Columbia, Prince Edward Island, Newfoundland and Saskatchewan also need to increase the level of protection from second-hand smoke to prohibit smoking in all workplaces and public places under their jurisdiction. We should encourage them to do so.

[Senator Harb]

I would like to add, honourable senators, that legislative change, when it comes, must take into consideration the cultural significance of tobacco in the lives of Aboriginal Canadians and its ceremonial role in cultural and spiritual practices.

Health Canada has done a first-rate job providing resources and information on smoke free work and public spaces. It has also been diligently spreading the word about the dangers of tobacco products and second-hand smoke in our society.

[English]

Most honourable senators will be familiar with the courageous champion of the Smoke-Free Canada campaign, Heather Crowe. Her face has been on television advertisements and her story written about in the newspapers. She is a life-long non-smoker who is dying from lung cancer after a career spent working as a waitress in smoke-filled restaurants.

When I mentioned to Ms. Crowe that we would be discussing this motion in the Senate, she responded by saying:

It gave me a big lift to know that you will table a motion in the Senate to make all workplaces and public places smoke-free. A lot of progress has been made but many Canadians are still not protected from second-hand smoke

at work. I want to be the last person to die from second-hand smoke at work. Your motion will help make my wish come true.

Honourable senators, individuals such as Ms. Heather Crowe, groups such as Physicians for a Smoke-free Canada and international organizations such as the World Health Organization are calling on us to close the loopholes and to clear the air for non-smokers in our country.

I ask honourable senators to support this motion to ensure that the necessary steps are taken to obtain federal smoke-free legislation in Canada. There is no reason not to proceed with this initiative and more than 32 million good reasons why we should. Believe me, we will all breathe easier when this motion passes.

Honourable senators, I put this motion before you with the support of my esteemed colleague, Senator Keon, in the hope we can concur with it quickly and thereby send a message to the other place asking them to unite with us to ensure that Canada's workplaces and public places are truly smoke-free.

On motion of Senator Tkachuk, debate adjourned.

The Senate adjourned until Thursday, May 18, 2006, at 1:30 p.m.

Wednesday, May 17, 2006

Wednesday, May 17, 2006

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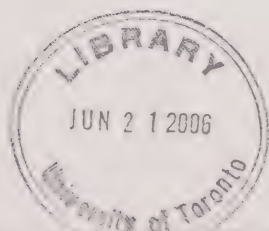
NUMBER 16

OFFICIAL REPORT
(HANSARD)

Thursday, May 18, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER



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Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Thursday, May 18, 2006

The Senate met at 1:30 p.m., the Speaker in the chair.

Prayers.

THE LATE CAPTAIN NICHOLA GODDARD

SILENT TRIBUTE

The Hon. the Speaker: Honourable senators, before we proceed, I ask that you rise and observe one minute of silence in memory of Captain Nichola Goddard, whose tragic death occurred yesterday while serving her country in Afghanistan.

Honourable senators then stood in silent tribute.

SENATORS' STATEMENTS

HALIFAX REGIONAL HISTORICA FAIR

Hon. Jane Cordy: Honourable senators, on May 6, I had the privilege of attending the Halifax Regional Historica Fair where students presented projects on their heritage. As always when I attend these fairs, I was impressed by the level of enthusiasm and the hard work that is put into the fair by students, teachers and volunteers. I find it a great pleasure to see the young people of Nova Scotia sharing parts of their heritage. These projects are an invaluable tool, not only for the students, but also for those of us fortunate enough to be in attendance. They help each of us to gain a better understanding of our country, its history and its peoples.

I find it interesting to ask the students why they chose a particular subject for their project. Many times, a grandfather, a grandmother or other relative has influenced their choice — a grandfather who was a coal miner, a grandfather who was a lighthouse keeper, parents and grandparents who were members of a volunteer fire department. It was a delightful way to spend the afternoon.

• (1340)

The historica fairs are an effective way to get young people from across the country interested in discovering and learning about their roots.

Canada is a vast country, rich in heritage with so many stories to tell. As senators, we get to meet with people from around the world. I am always filled with a great sense of pride when those from other countries express how they hold Canada in such high regard.

Canada is a country to be very proud of, with our rich heritage, the many peoples, places and events that contribute to our national identity. The historica fairs allow students to share their heritage.

I would also like to take this opportunity to invite each of you to Halifax, Nova Scotia, from July 10 to July 17, when we will be hosting students from across the country for the National Historica Fair.

THE LATE CAPTAIN NICHOLA GODDARD

Hon. Hugh Segal: Honourable senators, I rise in sadness and respect to pay tribute to Captain Nichola Goddard, the first female Canadian Forces officer to die in combat, and the first female Canadian combat casualty since World War II.

Captain Goddard served as a combat engineer with the First Regiment of the Royal Canadian Horse Artillery while stationed outside of Kandahar, Afghanistan, and met her untimely death under enemy fire as part of Canada's operations in that region. Captain Goddard gave her life in support of our values and commitment as members of the international community.

First and foremost, our sincere condolences go to Captain Goddard's family and friends. The death of a loved one is never easy, and in these circumstances, those who love her deserve the support of all Canadians.

Second, it should be publicly noted that the bravery and courage Captain Goddard demonstrated during her lifetime is a magnificent inspiration and a testament to the service rendered by all members of our Canadian Forces.

Captain Goddard's death in service to this country is a terrible loss. While the death of any Canadian soldier is tragic, Captain Goddard's death is a timely reminder to all of us of the women members of our Forces who choose to serve this country often in harm's way.

My acknowledgement to Captain Goddard also reflects my role as a senator for Kingston-Frontenac-Leeds. She was a member of the 2002 graduating class of the Royal Military College of Canada in Kingston.

As any RMC graduate will say, once you arrive in Kingston for your years of education and training at the college, you immediately become an honorary de facto Kingstonian. Kingston embraces these cadets as their own.

I understand that during her years in Kingston, Captain Goddard spent a good deal of her private time volunteering in our community, most notably as a Scout leader with the Fourth Kingston Troop. She will be missed by those who benefited from her experience and her contributions in our community.

Over the next three days, honourable senators, the graduating class of 2006 of the Royal Military College will be receiving their officers' commissions and diplomas. I know that Captain Goddard's name will be repeated over and over, as well it should.

Captain Goddard's exemplary service as an officer and an accomplished woman in our military underlines the opportunities and possibilities for all members of the graduating class and all those currently in training, aspiring to be the best and the brightest, a term used in reference to Captain Goddard herself.

In Captain Nichola Goddard, Canada has lost a talented officer. Her family in Manitoba has lost an irreplaceable loved one, and an alma mater in Kingston has lost one of their own. God rest her soul.

LAW SUITS AGAINST SOFTWOOD LUMBER AGREEMENT

Hon. Pierette Ringuette: Honourable senators, Tuesday was a sad day for our country. On that day, both the Ontario Lumber Manufacturers Association and the Ontario Forest Industries Association filed a lawsuit against the Government of Canada and the Government of the United States challenging the suspension of an extraordinary challenge notice by both governments on Friday, May 12, 2006.

• (1345)

On Tuesday, as the result of the proposed softwood agreement yet to be signed, our own Canadian forest industry had no choice but to file a lawsuit against this Tory government because this Tory government has turned its back on them and went along with the George W. Bush protectionist lumber plan.

Let me put forward a few eye-opening quotations from Tuesday. The first is from Jamie Lim, President of the Ontario Forest Industries Association:

The two federal governments have conspired to prevent Canadian private industry from finalizing a decision of a NAFTA panel for which we fought for four long years. The panel found that Canadian softwood lumber is not subsidized.

Carl Grenier of the Free Trade Lumber Council said the following:

We and everybody else in Canada connected to this issue were given to understand that Canada had to complete a framework deal by 5:00 p.m. on April 27 to avoid having the United States file an extraordinary challenge; this deadline turned out to be an elaborate charade.

Another quotation is from retired senior federal trade negotiator Mel Clark who says the agreement is "perpetual U.S. protection and it leaves the Canadian industry, its people, its communities, without hope."

Honourable senators, these are very strong words, and, as I understand them, they are the words of an industry that has been abandoned by its government. This government cannot muzzle these words. These are the words of Canadians that have supported the free trade agreement with the U.S. These are the words representing billions of dollars of investment in our Canadian economy and in jobs in rural communities. These are

the words based on the belief that the Canadian government would be there to help and protect the industry through the NAFTA agreement.

Honourable senators, these are the words of Canadian citizens that deserve to be listened to and deserve to motivate a study of this proposed softwood agreement by the Standing Senate Committee on Banking, Trade and Commerce.

SASKATCHEWAN

SASKATOON—CENTENNIAL CELEBRATIONS

Hon. David Tkachuk: Honourable senators, I am pleased to speak today on the occasion of my hometown's centennial celebration.

Saskatoon, formed when the villages of Nutana, Riversdale and Saskatoon came together, will be 100 years old, on May 26, 2006.

Today, we have something to celebrate. Saskatoon, for those who have not yet visited us, rests along the banks of the scenic South Saskatchewan River in the heart of the Canadian Prairies and has a proud worldwide reputation for safety, affordability and hospitality.

KPMG recently ranked Saskatoon as number one in the Midwest U.S. and Western Canada in business costs competitiveness in their study entitled *2006 Competitive Alternatives*, which compares business costs in North America, Europe and the Asia Pacific.

Moreover, this past year, Saskatoon has had an astounding growth in retail sales of nearly 15 per cent, enabling residents to enjoy a hearty growth of more than 8 per cent in after-tax disposable income, due in part to retail trade plus machinery manufacturing. In fact, during the past eight years, Saskatoon residents have averaged 4.5 per cent growth in their disposable income.

It is a beautiful city, home to more than 39 historic buildings, as well as the beautiful University of Saskatchewan, which will celebrate its centennial anniversary next year.

Saskatoon is rich in its diversity. We will be recognized next week at a press conference as the 2006 Department of Canadian Heritage's Cultural Capital of Canada for a city with a population over 125,000.

Many of you may not be aware that we are home to one of only two prime ministerial archives housed outside of the National Archives. These papers are from the irrepressible John G. Diefenbaker, former Prime Minister of Canada. The other archive houses the papers of former Prime Minister R.B. Bennett. That archive is at the University of New Brunswick.

It is a great place to come from. It is a great place to do business. It is a great place to raise a family.

• (1350)

Saskatoon's own mayor, Don Atchison, invites all of you, and he asked me to deliver the following invitation:

If you're not busy on Friday May 26, I invite Parliament and all of Canada to come to Saskatoon to join in the party as Saskatoon celebrates its 100th anniversary! Everyone is excited about our birthday, but if you miss it don't worry, we have lots of other celebrations planned throughout the year. Saskatoon's 210,000 warm and friendly residents, our beautiful riverbank, and an endless variety of festivals, concerts, and galleries are what make Saskatoon so special — it's a tradition we've had for the past 100 years. Saskatoon in 2006 — it's our time to shine!

RIGHT TO ABORTION

Hon. Lillian Eva Dyck: Honourable senators, I feel compelled to speak to the issue of a woman's right to have an abortion in view of comments made by the MP for Saskatoon-Wanuskewin last week in Ottawa following an anti-abortion gathering on Parliament Hill. Maurice Vellacott claims that women are being pressured by men to have unwanted abortions.

I quote from Mr. Vellacott's website:

Wherein men harass, badger, coerce if you will, it might be a boyfriend, it might be a partner, a husband, employer, doctor, friend, family members, but a lot of abortions that I gather women have had in this country are not so much by their own volition insofar as that they feel pressured by other circumstances around, badgered into unwanted abortions.

Mr. Vellacott's line of reasoning, honourable senators, is not logical. The problem is not that abortion is a legal, medical option that women can choose. Rather, if — and this is a big if — men are pressuring women to have abortions, then that problem should be addressed. If men really are forcing women to have unwanted abortions, then Mr. Vellacott should propose legislation to make such coercion illegal rather than trying to make abortion illegal.

Honourable senators, I trust that you will not be swayed by Mr. Vellacott's false, illogical argument that abortions must be restricted to protect women from men who force them to have an abortion. Furthermore, if there is substantive evidence that men are pressuring women into having abortions, I invite you to help find the ways and means to prevent that by proposing legislation directed to these men rather than limiting women's rights to choose abortion.

GWYN MORGAN

PARLIAMENTARY REVIEW FOR POSITION OF FEDERAL APPOINTMENTS COMMISSIONER

Hon. Gerry St. Germain: Honourable senators, I rise to condemn, on behalf of all reasonable Canadians, the public political lynching of one of our country's finest citizens, Gwyn Morgan.

[Senator Tkachuk]

Mr. Morgan's unselfish commitment to his community and to this country is not unlike the commitment made by thousands of volunteers across this nation who, with noble intentions and caring hearts, live out the finest truth of citizenship.

I know Gwyn Morgan well and have worked with him in his role as a business leader, a community leader and a national citizen contributing to the greatness of Canada.

What is citizenship, honourable senators? What are the obligations of citizens? They are obligated to give back more than they took, to step forward and to serve their country, bringing their wisdom, good judgment, enterprise, honesty and toil to the challenges of building, strengthening and celebrating the collective will of our nation's people.

Gwyn Morgan stood before a committee of the other place, not only pledging to serve in this honourable and noble way, but also putting his past exemplary record of service before Canadians as a testament to his commitment. He did it all with passion in his heart and without expectation of personal reward. He offered to serve and to make our public institutions stronger by leading them in a new direction that, through merit and not partisan patronage, would attract other honourable Canadians to serve.

Gwyn Morgan is an honourable citizen, honourable senators, in the truest sense of that term. He faced partisan operatives whose display of callousness showed how much honour they really have. He was subjected to a vicious partisan attack, with an outcome that speaks not to the noble intentions of citizenship but instead to the worst intentions of cynical partisans, and unfortunately, it commenced in this place.

• (1355)

Our country, honourable senators, is far worse off for the way in which Mr. Morgan was treated.

I sincerely hope that equally honourable citizens will not see this treatment as a reflection of the character of our people in this nation. Honourable senators, this treatment is merely an aberration from those who currently purport to serve in one of our institutions of government. Shame on them!

WORLD WAR II

ITALIAN CANADIANS INTERNED AS ENEMY ALIENS

Hon. Gerard A. Phalen: Honourable senators, can you imagine being arrested in Canada and being imprisoned without benefit of trial because of your ethnic origin? Can you imagine being interned in Canada for an average of 15.8 months? Can you imagine your family not being allowed to visit or write you for the first year of your imprisonment? Honourable senators, that was the plight of Italian Canadians interned because of the 1939 Defence of Canada Regulations. It is important we understand that not one of these 700 imprisoned Italians was ever charged with an act of sabotage or disloyalty during the war.

It is also important to understand that the same wartime regulations created the designation of "enemy alien." Over 17,000 Canadian men, women, and children, many of whom were either born here in Canada or had become Canadian citizens, were designated "enemy aliens."

These families were forced to sell their homes, businesses, and other assets to clothe and feed their families.

In 1992, the National Congress of Italian Canadians' Redress Committee held public hearings across the country. They heard from many people on what it was like to be branded an "enemy alien." They were told of the insecurity Italian Canadians felt throughout the war period, and the suspicion with which they were regarded. They were told about how Italian Canadians worried for their children and how their children grew up ashamed of their heritage and of their parents.

Honourable senators, in November of 2005, the Government of Canada signed an agreement-in-principle to highlight Italian Canadians' contributions to building Canada. As the press release said at the time:

This is a first step in articulating a shared vision for the acknowledgment, commemoration, and education of Canadians on the experience of Italian Canadians...

This agreement provided for the Acknowledgment, Commemoration and Education Program, also known as the ACE program. The ACE Program was a three-year, \$25 million initiative, and in the February 2005 budget an initial amount of \$2.5 million was provided for the Italian Canadian communities.

Because of the election call, the Supplementary Estimates were not passed and so many of these worthwhile projects did not receive funding.

However, the current estimates provide \$10 million for the ACE Program. I know that many Italian Canadians continue to hope that their worthwhile commemorative programs will be funded by the ACE Program, and I personally look forward to seeing these commemorative projects at least begun, if not completed, in the near future.

TEAM CANADA ATLANTIC TRADE MISSION

Hon. Donald H. Oliver: Honourable senators, I rise to call your attention to a Team Canada Atlantic trade mission to Florida, which took place four days ago with the Honourable Peter MacKay. I participated in a trade fair with two premiers, other politicians and business leaders from the four Atlantic provinces under the sponsorship of Atlantic Canada Opportunities Agency, ACOA, which has been carrying on these missions for the business community in Atlantic Canada for several years. This trade mission was number 13. ACOA-sponsored Team Canada Atlantic missions have resulted in more than 360 Atlantic Canadian companies having more than 3,000 business contacts in the United States.

These trade missions have produced more than \$37 million in export sales. The most recent one to Miami is likely to be the most successful yet, in terms of new business contracts for Atlantic Canadian companies.

Some of the small and medium-sized enterprises, SMEs, I spoke with told me they have increased their annual sales and revenues three and four times as a direct result of these missions.

On Tuesday at the Nova Southeastern University in Miami, I co-chaired the biotechnology round table where I provided an overview of future developments in the biotechnology sector and possible opportunities for collaboration between Atlantic Canadian and Floridian interests.

• (1400)

The highlight of that seminar was the presentation of The Scripps Research Institute, one of the United States' largest private non-profit research organizations, headquartered in La Jolla, California, which has been internationally recognized for its research in areas of immunology, molecular and cellular biology and many other fields. Their presentation caught the eye of many of our research scientists and investors from Atlantic Canada.

In conclusion, honourable senators, I believe that small and medium-sized businesses are the lifeblood of our economy. The ACOA operation was expertly organized and professionally executed. In one word, it was impressive. The activities of ACOA have helped enlarge the markets for dozens and dozens of small and medium-sized Atlantic Canadian businesses.

Honourable senators, I was once a strong critic of ACOA, but now that I have seen first-hand the invaluable work they are doing for the business sectors of all of our Atlantic provinces, they are only to be encouraged in these significant endeavours.

RESPECT FOR PARLIAMENT

Hon. Lowell Murray: The PMO could not resist the temptation for an ethnic photo opportunity last Friday to announce legislation that will provide easier access to citizenship for adopted children from abroad. Nevertheless, and because I like to accentuate the positive, I draw to the attention of honourable senators four other recent instances which indicate a renewal of respect for Parliament on the part of government.

On April 27, the Prime Minister came to the House of Commons to announce the Softwood Lumber Agreement with the United States. The Leader of the Opposition and spokesmen for other parties then rose in turn to voice their comments and criticisms. Similarly, on May 1, Mr. Harper announced in the Commons the appointment of a judicial inquiry into the Air India tragedy.

On May 10, the Minister of Indian Affairs announced the residential schools settlement.

On May 11, the Ministers of the Environment, of Transport and of Natural Resources took part in an opposition day debate and announced government policies relating to Kyoto and other environmental issues.

This is the way public business is supposed to be done and announced in a parliamentary democracy — in Parliament and only afterwards to various so-called stakeholders or members of the press gallery.

I am old enough to remember a time when following a federal-provincial conference or an overseas trip, Prime Ministers Diefenbaker and Pearson came directly to the House of Commons to report, and sometimes to endure quite a critical assessment of their efforts from opposition MPs.

In those days, a minister who tried to do an end run around Parliament by making an important announcement outside the House came under harsh criticism and lost respect there because of what was regarded as showboating. Governments knew they had to show respect for Parliament. Whenever possible, advance copies of any prepared statement were sent to the opposition.

[Translation]

As to the advisory vote held in the House of Commons on Canada's presence in Afghanistan, at least there was a precedent in 1964 when the Pearson government asked Parliament to debate and vote on a similar motion to send our soldiers to Cyprus.

Of course, Pearson insisted on his executive prerogative in the matter, as did our colleagues, senators Dallaire and LeBreton, yesterday. Nevertheless, Parliament always has the last word because it decides whether or not to fund such deployments.

[English]

It is called "the power of the purse." I urge the government to continue to announce public business in Parliament. This can only help to restore respect for the institution among the public and among parliamentarians.

In the spirit of bicameralism, copies of such statements should be tabled simultaneously in the Senate so that we may take them under advisement. In 1964, as soon as the Commons vote was held on his resolution, Prime Minister Pearson moved that the resolution be forwarded to the Senate so that their honours would be invited to join in it.

• (1405)

ROUTINE PROCEEDINGS

HAZARDOUS MATERIALS INFORMATION REVIEW ACT

BILL TO AMEND—REPORT OF COMMITTEE

Hon. Wilbert J. Keon, Deputy Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

[Senator Murray]

Thursday, May 18, 2006

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

THIRD REPORT

Your Committee, to which was referred Bill S-2, An Act to amend the Hazardous Materials Information Review Act has, in obedience to the Order of Reference of Thursday, May 4, 2006, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

WILBERT J. KEON
Deputy Chair

The Hon. the Speaker *pro tempore*: Honourable senators, when shall this bill be read the third time?

On motion of Senator Keon, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

COMMONWEALTH PARLIAMENTARY ASSOCIATION

STUDY GROUP ON ADMINISTRATION OF PARLIAMENT, MAY 25-29, 2005—REPORT TABLED

Hon. Donald H. Oliver: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Delegation of the Commonwealth Parliamentary Association to the Study Group on the Administration of Parliament held in Zanzibar, Tanzania from May 25 to 29, 2005.

QUESTION PERIOD

NATIONAL DEFENCE

RECRUITMENT

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government on the matter of recruiting for the Canadian Armed Forces.

In 2002, the Auditor General identified problems with military recruiting in the Department of National Defence. In her report tabled on Tuesday of this week, she said that good progress had been made by the former government since that time. She said:

National Defence has made satisfactory progress overall since 2002 in responding to our recommendations. It has improved at recruiting and retaining the numbers of people needed in its military occupations. By 2005 it had stopped the decline in the number of people trained and available for duty...

Notwithstanding this progress, the Auditor General is concerned that recruiting levels are not as high as they need to be, especially since the government plans to increase the forces by 23,000 regular and reserve personnel.

The report of the Auditor General points out that attrition rates are expected to increase over the next five to 10 years because, among other things, many active personnel are close to retirement; that it takes time to train new recruits; the recruitment process can delay enlistment from 90 days to one year; and that there is a decline in interest in young people joining the Canadian Forces.

How does the government propose to deal with these problems if it hopes to meet its objective of increasing the regular forces by 13,000 members and the reserve forces by 10,000 members?

Hon. Marjory LeBreton (Leader of the Government): I thank the Honourable Senator Hays for his question. I hope that when young Canadians see an opportunity to serve in the Canadian Armed Forces, to contribute to the betterment of human rights and the rebuilding efforts in countries such as Afghanistan, they will find joining the forces to be a worthwhile and worthy career.

Expanding the Canadian Forces is a priority of the government and it committed the necessary resources in Budget 2006 to achieve this goal. I read the Auditor General's report and found it somewhat alarming to learn that of the vast number of people screened, so few of them remained in the forces because they did not see it as a long-term career. That is most unfortunate, and we will endeavour to address the issue.

• (1410)

The increased funding will allow the Canadian Armed Forces to move ahead by adding 13,000 new regular forces and 10,000 new reserve members, and the Department of National Defence will reallocate funds internally as required in order to meet these objectives.

Senator Hays: I thank the minister for the outline of proposals, including the reference to the additional resources referred to in the budget.

The Auditor General has focused on something that is challenging, so I ask the minister to comment on how the government intends to meet the challenge of attracting applicants, particularly in a tight labour market and in a market where Canadians from Aboriginal and visible minorities are becoming an increasing portion of the population. This is an area where it is absolutely essential for our recruiting exercise to be successful if our military is to reflect our country. I notice that Senator Oliver is listening; he has raised these issues on many occasions.

Will the Leader of the Government in the Senate provide us with information as to how the government intends to address this special problem of attracting the new recruits that we need?

Senator LeBreton: I thank the honourable senator for his question. I do not have a definitive answer, other than I will certainly encourage my colleagues not only in cabinet, but also in the government caucus and in the Senate caucus to try to communicate our support to Canadians, especially in light of the sad and tragic death of a woman soldier in combat. I was one of those, who supported women soldiers years ago, when many people thought that women should not be in combat, that women could not participate. We now know that Captain Goddard, who was sadly killed, was an outstanding soldier.

As parliamentarians, we must help to create a climate whereby we communicate that a career in the Armed Forces is something that we support. We are very proud of people who decide on this career, instead of creating the impression that if they do make this great commitment to our country, we will not back them up.

Senator Hays: I thank the minister for that response, and I share the words of Senator Segal, which I know we all appreciated, on the loss of Captain Nichola Goddard.

The report identifies on that very issue that the male population of the age group eligible for service will increase by 7.8 per cent over the next 10 years, and women in that age group will increase by 9.2 per cent.

My question relates to the Auditor General's observation that it takes from 90 to 365 days before a recruit knows whether or not he or she is eligible for service. This issue has come before our Standing Senate Committee on Security and Defence like the immigration lineups, in terms of the role of CSIS and other agencies, this is creating an immense problem, because waiting 90 days is bad enough; waiting longer is, I am sure, one of the reasons recruits lose interest and disappear. This is a difficult problem that must be resolved.

Will the minister please advise us as to what special steps are being taken, whether the government will apply initial resources, or whatever, to resolve this difficult problem in the recruiting process?

• (1415)

Senator LeBreton: Honourable senators, I could not agree more with the senator. Ninety or 130 days is unacceptable, just as it is unacceptable for people who wait up to a year to be accepted as immigrants to this country.

The Minister of National Defence took note of what the Auditor General reported in this regard. I believe he is taking steps, with the Chief of the Defence Staff, to put in place measures that will shorten the procedure and make the first step — the open door into recruiting — more welcoming to potential recruits. If I have any further information of anything specific that they have done on this item, I will be happy to provide that information in a delayed answer.

INTERNATIONAL TRADE

SOFTWOOD LUMBER AGREEMENT— REQUEST FOR TABLING

Hon. Pierrette Ringuette: Honourable senators, my question is for the Leader of the Government of the Senate.

Tuesday, as the result of the proposed softwood lumber agreement yet to be signed, Canadians in the forestry industry had no choice but to file a lawsuit against this Tory government, because the Tory government has turned its back on them and bowed to George W. Bush's protectionist lumber plan. Our Canadian forest industry is saying that the Tory government and the Bush government have conspired against Canadian private industry.

This is the fourth time I have asked this question: Will the Leader of the Government in the Senate table in this house this potential softwood lumber agreement, and refer this document for full study to the Standing Senate Committee on Banking, Trade and Commerce, to put a dent in the culture of secrecy?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I thank Senator Ringuette for that question.

Senator Ringuette must move beyond what is going on south of the border and come to grips with the fact that, on the issue of softwood lumber, we came to a Canadian and to a North American resolution to this dispute, which has plagued this country and harmed our industry for years.

The framework agreement not only ensures stability and certainty for our softwood lumber industry; it provides us with an opportunity to rejuvenate and examine improvements to NAFTA. When the honourable senator's party was in government, Canadians asked them, as they have asked us as a government, to find a solution that offers protections to every region of the country and respects everyone's best interests — those of the provinces, industry and forestry workers, as well as the individuals, families and communities whose livelihoods depend on a viable forest sector.

That is the agreement Minister Emerson, Ambassador Wilson and others delivered. In the fullness of time, I believe we will realize that this deal was the best we could have gotten for Canada.

In answer to the specific question, the agreements are a work in progress. It is my understanding that partial agreements — agreements in principle — were tabled this morning in the Standing Senate Committee on Agriculture and Forestry.

Senator Ringuette: Honourable senators, I understand the government leader in her answer is saying that her government is always looking south of the border to resolve Canadian issues. However, Canadian issues must be resolved by Canadians.

Honourable senators, it seems that the Leader of the Government in the Senate operates in isolation from her cabinet colleagues. She has not been able to answer questions pertaining to the important proposed softwood lumber agreement for over a week now.

This question is simple. It involves a yes or no answer. Will she table in this house the document that was sent to the provinces last week, and send it for full review to our standing Senate committee?

Senator LeBreton: I thank the honourable senator for her question. I know she wants the proposed agreement to be referred to the Standing Senate Committee on Banking, Trade and Commerce. It was tabled this morning in the Standing Senate Committee on Agriculture and Forestry.

[Senator Ringuette]

• (1420)

[Translation]

PUBLIC SAFETY

FIREARMS CENTRE— CUTTING OF LONG-GUN REGISTRY

Hon. Francis Fox: Honourable senators, my question is for the Leader of the Government in the Senate and relates to the cancellation of the gun registry program, a tactic or strategy that the editorial chief of *La Presse*, Mr. André Pratte, describes as a terrible mistake.

In her report released earlier this week, the Auditor General of Canada indicated that, despite certain difficulties early on, the Canada Firearms Centre has corrected most of the administrative problems that it experienced in the beginning. In fact, at present, a maximum of \$25 million is allocated to registration itself. Considering the system's current well-established effectiveness — police forces have recognized the system's effectiveness, having used it for the first quarter of this year on average 6,500 times every day — considering these facts, can the Leader of the Government in the Senate tell us why the government is prepared to abolish such an effective tool in the fight against crime? Why is the government prepared to so quickly dismiss the opinions expressed by coalitions of citizens across the country and the professional opinions of Canada's police forces?

[English]

Hon. Marjory LeBreton (Leader of the Government): I thank the Honourable Senator Fox for his question.

First, this country and this government support the very strong gun control laws that are in place. There is still a gun registry for handguns and restricted firearms. The new Conservative government is committed to effective firearms control that targets criminals while maintaining the highest standards of public safety.

Firearms owners will still be subject to the measures that are designed to help ensure public safety, even during the amnesty period. When one applies for a licence, background safety checks will continue to be done to screen for certain criminal convictions and incidents of violent behaviour. The government is determined to strengthen measures to keep firearms out of the hands of criminals and individuals who have been prohibited from possessing them.

All applicants for PAL, possession and acquisition licences, or minor licences, must meet specific safety training standards in order to be eligible, and this safety training will continue. All firearms owners will continue to be required to store their firearms safely so as to protect public safety. Safe storage laws help to prevent accidents and possible access to firearms by persons unauthorized to possess them.

With regard to the question about the 5,000 hits a day on the registry —

Senator Fox: Six thousand five hundred.

Senator LeBreton: — this figure, for the Canadian Firearms Registry On-line, or CFRO, is misleading. Whenever a police officer accesses the Canadian Police Information Centre, or CPIC, for any reason, even for a simple matter such as checking a licence plate, automatically the hit is generated with CFRO. Therefore, it is really quite misleading to say there are 5,000 hits on the firearms registry list.

An Hon. Senator: Are you saying the police are lying?

Senator LeBreton: When the police make the inquiry it could be for anything; it could be pulling up behind the honourable senator's car and running your licence plate through a computer check and the search will automatically go to the firearms registry list.

[Translation]

Senator Fox: I thank the Leader of the Government for her answer, but I cannot share the minister's confidence in this matter. Only her side of this chamber seems to appreciate this new policy. The three opposition parties in the other place object to it. The governments of Canada's two most populous provinces object to it, and we will soon be hearing from the others.

Yesterday, Mr. Michael Bryant, Attorney General of Ontario, and Jacques Dupuis, Deputy Premier of Quebec, strenuously objected to this new policy.

• (1425)

Can the minister tell us how this government was able to unilaterally cancel this firearms registration program, given that its cancellation was strongly opposed by the attorneys general of the two major provinces I just mentioned and who are responsible for the administration of justice and the daily fight against crime? These two provinces condemn the government for this decision and will make every effort to change its mind.

Can the minister also tell us if this unilateral cancellation, which runs counter to the requests of the two most populous provinces, is an example of the open federalism advocated by this government?

[English]

Senator LeBreton: If the honourable senator had in fact listened to what Minister Day said yesterday and again today with regard to statements made by the Attorneys General of Quebec and Ontario, he would know the government is drafting new legislation to replace existing legislation. It will be consulting extensively with the provinces and with the other stakeholders. After consultation, the minister will work to set up an effective firearms control system.

Of course, in the spirit of cooperation with the provincial Attorneys General, the minister intends to take into account their concerns. There is an amnesty until May 17, 2007. In the meantime, Minister Day will be working with the provinces and various stakeholders to draft the new legislation that will then be tabled.

Hon. Gerry St. Germain: I have a supplementary question for the Leader of the Government in the Senate.

Perhaps the honourable leader can refresh our memory. I believe that the current Prime Minister, in speeches during the last election campaign, clearly stated on numerous visits across this country, from Newfoundland to Victoria, that he would scrap the gun registry. This was his commitment, and he has never backed down from it since taking office as Prime Minister. Am I not correct?

Senator LeBreton: The honourable senator is absolutely correct.

I travelled on the campaign every single, solitary day, and in every single, solitary speech the Prime Minister talked about child care, firearms, safe communities and Senate reform. Those speeches received very loud applause each time they were delivered.

Hon. Daniel Hays (Leader of the Opposition): The response to the question of how many inquiries are made on the gun registry is consistently that it should not be given much weight because such inquiries come up as part of other inquiries. The Leader of the Government gave the example of a police officer checking the licence plate of an individual. I think it is appropriate to ask for more detail regarding that procedure.

If I am a police officer stopping someone who has committed an offence, I may want to know if that person is licensed to own long guns.

Could the honourable senator give us some detail regarding that issue? It is constantly dismissed as unimportant or irrelevant. We need more information. If there is more information available, I would appreciate it if the Leader of the Government could table it in the chamber.

Senator LeBreton: I do not suggest for a moment the gun registry issue is not relevant. The figure of 5,000 hits a day to the firearms registry is misleading. The routine check itself will go over into the firearms registry. As I mentioned in an answer a day or two ago, many police officers find the information is not complete in any event.

If the honourable senator saw the report today on the news about a huge police raid in Toronto involving the seizure of illegal guns, I doubt very much that any additional information would arise if licence plate information was entered. In addition, illegal firearms smuggled into the country would not show up on any registry.

In answer to the honourable senator's question, I would be happy to ask for a detailed breakdown of what additional information arises when an inquiry is entered into a computer by a police officer.

• (1430)

Senator Hays: I would also like an explanation of why it is characterized as less important than other inquiries being made at the same time.

Senator LeBreton: My point is only that the assertion that 5,000 hits a day are made on the registry is not entirely accurate. However, as I promised Senator Hays, I will obtain the full information for him.

Hon. Larry W. Campbell: Honourable senators, I am a former police officer. When I would get out of my car to approach someone, I wanted to know whether he or she could possibly be armed. When I did a computer search, as the leader said, various databases were accessed to advise me of what I could expect. I believe that a government that supposedly stands for law and order would want to ensure that police officers have every piece of information possible regarding occupants of vehicles.

Does the Leader of the Government and the government understand how important it is to know whether a person has access to a firearm, be it a long barrel or a handgun?

Senator LeBreton: Honourable senators, I would absolutely want our police to have that kind of information.

Senator St. Germain: A good policeman always presumes there is a gun.

Some Hon. Senators: Oh, oh!

Senator Campbell: That is a municipal policeman speaking, not a Mountie.

Some Hon. Senators: Oh, oh!

Senator LeBreton: I will not get into a sandlot debate.

As Senator Campbell knows, the government is committed to the issue of gun crimes — guns entering our country illegally and random shootings on our streets. That is a situation we cannot live with, which is why we want to increase mandatory minimum sentences for crimes committed with guns.

As a law-abiding citizen who has great respect for the police, I would want officers to have every tool possible to keep our citizens safe.

Hon. Lorna Milne: Honourable senators, the Minister of Public Safety announced yesterday that the annual budget for the Canadian Firearms Program will be reduced by \$10 million. In

addition, the government plans to introduce legislation that removes the requirement to register non-restricted firearms. According to *The Globe and Mail* this morning, the government said this move will render records on 90 per cent of all guns that are now registered obsolete but will only reduce the registry's budget by 12 per cent.

While I understand that Canadians will continue to be required to store their firearms safely, as the Leader of the Government keeps pointing out, would she not feel more secure if police officers knew where these non-restricted firearms were located, as is the case under the existing law, or does she support the proposed changes introduced by the Minister of Public Safety because she feels Canadians are impervious to the damage that a non-restricted firearm can do? I remind the Leader of the Government that that is 90 per cent of all guns now registered.

Senator LeBreton: I will take that question as notice.

[Translation]

BUSINESS OF THE SENATE

ADJOURNMENT

The Hon. the Speaker pro tempore: Honourable senators, it being 2:30 p.m., pursuant to the order adopted by the Senate, we must now adjourn. However, before proceeding to adjournment, I would like to inform honourable senators that they are asked to enter the House of Commons through the foyer and to take their places before 2:40 p.m. today to hear the speech by the Prime Minister of Australia, the Honourable John Howard.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I move that all remaining items stand in their place on the Order Paper until the next sitting.

The Hon. the Speaker pro tempore: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, May 30, 2006, at 2 p.m.

APPENDIX

**Address
of
the Honourable John Howard
Prime Minister of Australia
to
both Houses of Parliament
in the
House of Commons Chamber, Ottawa
on
Thursday, May 18, 2006**

*The Honourable John Howard and Mrs. Howard were welcomed
by the Right Honourable Stephen Harper, Prime Minister of Canada,
by the Honourable Noël Kinsella, Speaker of the Senate,
and by the Honourable Peter Milliken, Speaker of the House of Commons.*

APPENDIX

Pursuant to the motion adopted by the Senate on May 17, 2006

The Honourable John Howard
Prime Minister of Australia

Address to Members of the Senate and the House of Commons:

[English]

Hon. Peter Milliken (Speaker of the House of Commons): Order, please. I call upon the Right Hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker of the Senate, Mr. Speaker of the House of Commons, Members of Parliament, Senators, Chief Justice, honoured guests, ladies and gentlemen, it is a great privilege to welcome to Parliament today the Prime Minister of Australia and his wife, the Hon. John Howard and Janette.

As anyone who has taken the flight can attest, Canada and Australia are not exactly close neighbours. We are thousands of kilometres apart, in different hemispheres, and on opposite sides of the equator. Yet despite the great distance between our two countries, we share remarkable similarities in many respects.

[Translation]

Canada and Australia would not be the countries they are today without the cultural and other contributions of their aboriginal peoples. Our respective first nations were joined by waves of immigrants, people who came to Canada and Australia for a better life for themselves and their children.

Our two countries are characterized by their natural beauty and their hard and often merciless wilderness. The land, whether it be the arid Australian outback or the rocky Canadian Shield, has played a defining role in shaping our respective national characters. It has left both our peoples a legacy of independence and determination.

[English]

Politically, we share an enduring affinity to the Crown and a commitment to a federal system of government. Over the years Australians and Canadians have travelled and lived among each other.

In Prime Minister Howard's home city of Sydney, communities such as Canada Bay and streets with names such as Marceau Drive serve as reminders of the Canadians who moved to Australia after the rebellions in Upper and Lower Canada. Toronto, New South Wales was named in honour of Edward "Ned" Hanlon of Toronto, Ontario, a champion rower and the most internationally known Canadian of his era.

Perhaps most importantly, both of our countries have on many occasions stood shoulder to shoulder standing up for right when right needed to be defended.

I think particularly of the two world wars and the Korean conflict where our troops fought together to defend freedom and promote the ideals of human rights and democracy.

Our shared commitment to these values continues to this day, where for instance, Canada and Australia are actively contributing to the effort to bring peace, stability, and hope to millions of people in Afghanistan.

[Translation]

Clearly, our two countries have much in common and much to be proud of: freedom, democracy, the rule of law, values that millions of people around the world can only dream of, values that we should never take for granted, values that the peoples of Canada and Australia ask their elected representatives to uphold.

[English]

Prime Minister Howard is a principled leader with vision, a vision of a strong Australia that honours its past while embracing its future, a vision of an Australia in which opportunities are available to all through a strong economy that works for all Australians, and a vision of Australia that punches above its weight on the international stage.

Under his decisive leadership, Australia has become all of these things. Today Australia is a confident nation that simultaneously embraces its historic national symbols while welcoming people from all over the world.

Australia is also a prosperous nation. Under the Prime Minister's watch, taxes have gone down while productivity has gone up, unemployment has gone down while GDP has gone up, new jobs have been created in record numbers, and more and more Australians own their own homes. This is certainly a record of which to be proud.

As announced by his treasurer just last month, Prime Minister Howard's government has now paid down the country's net debt, an amazing accomplishment considering that when he took office the debt stood at almost \$100 billion in 1996.

[Translation]

Lastly, under the Prime Minister's leadership, Australia has consolidated its position as an international leader. Whether preserving human rights in East Timor, taking part in the global fight against terrorism or exercising strong regional and international leadership, as it did after the devastating tsunami in December 2004, Australia bravely defends the values it holds dear: democracy, human rights and a safer world for future generations. This government and all Canadians share these values.

[English]

In closing, as a new Prime Minister, I would like to express my warm admiration for Prime Minister Howard, my appreciation for his wise counsel, and offer him my sincerest congratulations for the outstanding work he has done since assuming office a decade ago. It is a record of laudable achievement and not bad for someone who leads a party called Liberal.

Through his leadership, Prime Minister Howard is moving his country forward, building a stronger Australia for all Australians, an Australia that works cooperatively with its allies, including Canada.

[Translation]

Without further ado, ladies and gentlemen, it gives me great pleasure to introduce a man who has always been and, I am sure, will always be a loyal friend to Canada: the Prime Minister of Australia, the Hon. John Howard.

[English]

Hon. John Howard (Prime Minister of Australia): Mr. Speaker, Prime Minister, Leader of the Opposition and hon. members of both Houses of the Canadian Parliament, can I first say how deeply honoured I am at the privilege of addressing this joint sitting of the two Houses of the Parliament of Canada.

I am told that the only previous occasion on which an Australian Prime Minister spoke to such a sitting was in 1944 when one of my Labour predecessors John Curtin, on a visit to North America during the war, was extended that great honour and privilege. I do want to therefore say that I regard it as a great personal honour and also a great honour to my country, Australia.

As your Prime Minister has said, the ties of history and of common practice between Australia and Canada are very great indeed.

Both of our nations owe much to those nations of Europe that gave institutions and values, and formation to our societies, to Great Britain, to France, to Ireland and to other nations of Europe.

Both of us, of course, are nations of immigrants, not only from Europe and the Middle East, but in the case of both of our countries in more recent years from Asia. Indeed, the constituency or riding that I represent in Sydney has an ethnic Chinese enrollment of between 10% and 15% and the contribution being made to the modern vibrancy of Australia by immigration from Asia has been one of the many things that have made Australia a confident, outward looking nation in the 21st century.

We are, as the Prime Minister said, kindred nations. We are both, in a sense, children of the enlightenment, that period of rational inquiry, progress and modernity which burst out of Europe but indeed found some of its more fertile acceptance in the nations of the new world.

We share many values. We share the Westminster tradition of parliamentary democracy. We are both federations, Canada coming together in 1867 and Australia in 1901.

We have shared many sacrifices in war. We remember the sacrifice of Australians and Canadians, particularly in those terrible battles of World War I at Passchendaele and elsewhere, and in World War II, it will ever be to the credit of Canada, Australia and Great Britain, and a small band of countries that stood together alone against the tyranny and horror of Nazi Germany for one whole year when all appeared to be lost.

Of course, during World War II, many thousands of Australian airmen trained in Canada, one of them was an uncle of mine from Petersham in Sydney. He fell in love, and wooed and married a girl from Calgary. It is a link that is replicated in thousands of Australian families.

Since then, of course, we have fought together in Korea, the Middle East, East Timor, and now together in response to the new and dangerous threat of terrorism in Afghanistan.

I pay tribute to the enormous contribution of the Canadian nation to the effort in Afghanistan, and I mourn the loss and the sadness of Canadian families in recent days.

We, of course, are nations that have a lot of history in common.

Perhaps if I could characterize our relationship I would put it this way. We have much in common but not as much to do with each other as we should. We have even followed different sporting paths. For reasons that have always escaped my comprehension and understanding, Canadians never embraced cricket. And ice hockey is not widely played in Australia. On that subject, can I congratulate the Edmonton Oilers on reaching the semi-finals. I wish them well as they do battle with those other teams from south of the border.

The fact that perhaps we have not had as much to do with each other as we should have is a function of geography, as the Prime Minister mentioned. I think, hon. members, that the challenges of the world in the first bit of the 21st century are really going to change that because many of those challenges, I believe, if they are to be effectively responded to, will bring Canada and Australia together as never before in common purpose.

Globalization presents to the world the most enormous opportunities. Those countries that pull down their trade barriers and open their economies and embrace globalization are the economies that will thrive and succeed. In that context, let Canada and Australia work together to do what we can as like-minded nations on the subject to bring about a successful conclusion of the Doha trade round.

Australia and Canada have interests in common at Doha. Not only have we legitimate national interests in common, but we have a legitimate interest in seeing barriers broken down so that the poorer nations of the world that rely so heavily on rural exports can gain access to markets that are closed to them at present.

There has in the context of Doha been a very generous offer made by the United States, one that went beyond many expectations of that country. That offer must be reciprocated, and if it is not reciprocated, then the prospects of a breakthrough in agricultural trade will be lost because the possibility of obtaining another authorization from the American Congress for a new trade mandate is very, very dim indeed. We only have a matter of weeks to bring about a successful momentum in relation to Doha, and greater pressure must be applied to the Europeans and to other countries such as Japan, Brazil and India that are not seeing the opportunities that can be embraced in this latest negotiation.

Another area where I believe because of our common interests that Canada and Australia can work together is in the area of climate change. Australia, as you know, did not join Kyoto, not because we are opposed to cutting greenhouse gas emissions. Indeed, we committed ourselves to reach the target set for Australia by Kyoto and we believe that we will achieve that target. But we do not believe that the greenhouse gas challenge and the environmental challenges that Kyoto was meant to address can indeed be accomplished, or overcome rather, unless there is a full involvement of the major polluting nations of the world, the United States, China and India.

It is because of that that Australia has become part of the Asia-Pacific Partnership on Clean Development and Climate, a partnership that brings together the United States, Japan, Indonesia, China and Korea. It is a partnership that seeks not only to reduce greenhouse gas emissions, but to bring together the drive toward that and economic development.

In the energy area, which is of course allied to climate change, Canada and Australia have much in common. We are the holders of the largest uranium reserves in the world. Both of us must work together in relation to the recently proposed global nuclear energy partnership which seeks, laudably, to control proliferation, but we must, as the holders of these vast uranium reserves, ensure that that particular partnership does not work against the interests of countries such as Canada and Australia.

Honourable members, for the first time in history, the centre of gravity of the world's middle class is shifting from Europe and North America to Asia, in a sense from the Atlantic to the Pacific. In a few years' time, there will be 400 million to 800 million middle class people in China and India. It represents a historic shift in the experience of the world and will have a profound and lasting impact on the economic growth and economic development of the world.

We as two outward looking nations should not fear this in any way. In fact, this development presents unique opportunities to both of our nations, opportunities that our outward looking societies, if we fully embrace it, can bring great benefit to our citizens. This change in this development uniquely, I believe, suits the type of societies that Australia and Canada represent.

These are some of the opportunities of the early years of the 21st century. They are opportunities for nations such as Canada and Australia that are built on an approach to individual liberty and freedom and an approach to society that sees the worth of a

person not according to that person's race, nationality, religion or social background, but according to that person's character and commitment to the well-being of his and her fellow citizens.

It presents to our two nations imbued with those principles, opportunities that together I believe our two countries can embrace. They are the opportunities of the early years of the 21st century, but inevitably there are the brutal challenges of the early years of the 21st century. None of course is greater than the threat of terrorism, this new menace that knows no borders, that knows no morality, that knows no rationality, and defies in terms of ordinary behaviour, predictability.

Terrorists oppose us not because of what we have done. They oppose us because of who we are and what we believe in. Terrorism will not be defeated by nuancing our foreign policy. Terrorism will not be defeated by rolling ourselves into a small ball, going into a corner and imagining that somehow or other we will escape notice.

My own country, according to all of our intelligence advice, was in fact a target for terrorism even before the 11th of September, 2001. The greatest loss of Australian lives in a terrorist attack at Bali in 2002 in fact occurred before the coalition military operation in Iraq.

Terrorism will only be defeated by a combination of strong intelligence, military action where appropriate, and importantly, the spread of democracy particularly among Islamic countries.

In that last context, no nation is more important than Australia's nearest neighbour and most populous Muslim country in the world, Indonesia. Indonesia, in the last eight years, has undergone a remarkable transition, a transition that draws less comment and less respect than perhaps it deserves. In eight years it has gone from a military dictatorship to the third largest democracy in the world.

What is at stake with countries like Indonesia, but also Pakistan, which is also under moderate Islamic leadership, is fundamental to whether we succeed or fail in the fight against terrorism because if democratic moderate Islam can succeed in the Islamic world, that will act as a powerful and enduring antidote to the menace of terrorism in those societies.

So, in dealing with terrorism of course we need strong and timely intelligence. I note with pride the decades of close collaboration between the intelligence services of Australia and the intelligence services of Canada. However, it needs a combination of strong intelligence, military resolve and the spread of democracy.

None of us should imagine that we are immune from domestic terrorist attacks. We had a timely wake-up call in Australia in the last months of 2005 when some 22 Australians were charged with certain terrorist offences and quite a large number of those were people who had been born in Australia and had grown up in our country.

Just as the people of Great Britain were shocked by the backgrounds and the experiences of those responsible for the London attacks of July 2005, many Australians have found it difficult to believe that something like that could happen in their country.

While I am on the subject of terrorism I would like to say something about Iraq. I know that in relation to Iraq, Australia and Canada took different paths and it is not my point here today to dwell on that. I simply want to applaud the bravery and courage of the 8 million people of Iraq who defied terrorism and physical intimidation to cast their ballots on three occasions in a democratic election.

We, in Canada and Australia, who are used to voting in tranquil circumstances, whatever the passion of political rhetoric might be, should take pause to salute such an extraordinary act of courage and bravery.

In conclusion I would like to say something about the role of the United States in the affairs of the world. Australia, as everyone knows, is an unapologetic friend and ally of the United States. We do not always agree. We have not in the past, we do not now on certain issues and we will not in the future, but I have always taken the view, and the majority of my fellow countrymen the same, that the United States has been a remarkable power for good in the world and that the decency and hope that the power and purpose of the United States represents to the world is something that we should deeply appreciate.

The values for which the United States stands are the values for which Canada and Australia stand. They are values of spreading democracy, of individual liberty and of a society where free enterprise is the principal economic driver, but also a society where the less fortunate should be protected by a decent social security safety net. They are values that I know members on both sides of this House, as, indeed, on both sides of the Houses of the Australian Parliament, share in common.

For those around the world who would want to see a reduced American role in the affairs of our globe, I have some quiet advice, and that is, be careful what you wish for, because a retreating America will leave a more vulnerable world. It will leave the world more exposed to terrorism and it will leave a more fragile and indeed dangerous world.

Mr. Speaker and honourable members, as I said at the commencement of my remarks, you have done me a great honour. To be invited to address the Parliament of a great nation such as Canada, a nation with which we have shared so much in the past and with values we hold so much in common, is for me, a veteran of 32 years of membership in the Australian Parliament, a tremendous honour.

Mr. Prime Minister, I know that I will not be departing in any way from the bipartisan traditions of being a guest in your country in wishing you well in the early months of your prime ministership. I remember the early months of my prime ministership in 1996. I know that there will be some on that side of the House who may not wish for you an emulation of the period of time that I have been in government, but I can say, Prime Minister, that you have brought to your office great vigour, great vitality and a commitment to do some new and different things in Canada.

You lead a minority government, an interesting experience, I am sure, and one that thankfully I have not had to cope with. I do not think I could. I do wish you well, but very importantly,

through you, I bring to this Parliament the good wishes of not only the Parliament of Australia but also the people of Australia.

We do believe in the same things, we Australians and Canadians. We are people who do share so much common history and common experience. In the new challenges and opportunities of the 21st century, I believe that with that shared history and experience there is more indeed that we can do in the future, not only for the betterment of the people of Australia and the people of Canada, but for the betterment of all the peoples of the world. Thank you indeed.

[Applause]

Hon. Noël Kinsella (Speaker of the Senate): Mr. Speaker, Prime Minister Howard, Prime Minister, honourable senators and members of the House of Commons, distinguished guests, ladies and gentlemen: On behalf of all parliamentarians and all those assembled, I am honoured, Prime Minister, to express our gratitude for your visit and to thank you for addressing this joint session with such clarity and eloquence. Your words here today remind us of the depth of our shared values and of the importance of defending those values.

Prime Minister, that you would visit Ottawa when the tulips are in bloom might have some of the historians in this chamber recalling that at one time the name "New Holland" was associated with Australia.

[Translation]

Mr. Prime Minister, as you said, the last time an Australian Prime Minister addressed a joint session of Canada's Parliament was in June 1944, a year before the end of the second world war, during which 39,000 Australians and 45,000 Canadians lost their lives. Today, it is all too easy to take for granted the freedom we have thanks to their sacrifice.

Two generations have passed since the end of the war, and our two countries have evolved in that time. Our development has been parallel, and our respective current situations are astonishingly similar.

During the 1950s, we undertook ambitious national construction programs to build the infrastructure for our modern societies. Since the 1960s, our societies have welcomed waves of immigrants, as I mentioned, from all over the world. They brought with them a variety of ideas and talents. They helped create the dynamic societies we live in today.

In fact, Australia and Canada are among the most diverse, dynamic and prosperous countries in the world.

[English]

Prime Minister, we must not forget that the reason our forward-looking societies are so successful is that they are based on the same fundamental values that our predecessors fought for, values, as you have mentioned, that we continue to defend in places such as Afghanistan. Most important, Prime Minister, again as you have mentioned, we share the precious heritage of parliamentary government. We have each grown our parliaments, recording changes whether great or small, and always with the practice of freedom as our beacon.

[Translation]

Like a huge extended family, Australians and Canadians have forged strong ties. We visit each other, enjoy each other's films, music and literature, and exchange ideas and goods with each other. When we meet, we recognize in each other a familiar set of ideas.

[English]

Prime Minister, by your words and your deeds, you have reaffirmed the lasting ties between our two great countries. Your address today at this joint session of the Parliament of Canada has resonated with the members of both Houses. Our members are attentive to your message and your words, which are unabashedly and refreshingly open to the world of 2006. We share with you, Mr. Prime Minister, the contemporary thirst for the inherent goodness of nature and culture and are unafraid of dialogue with human kind, irrespective of ethnicity, gender, political ideology or creed.

Allow me, therefore, Prime Minister, to once again thank you for having expressed your thoughts so clearly, and on behalf of all present, we wish you Godspeed.

[Translation]

Hon. Peter Milliken (Speaker of the House of Commons): Prime Minister Howard, Mrs. Howard, Prime Minister Harper, Mrs. Harper, Madam Chief Justice, Mr. Speaker, Mrs. Kinsella, members of the diplomatic corps, honourable senators, honourable members, ladies and gentlemen.

[English]

Prime Minister Howard, on behalf of all the members of the Canadian House of Commons, indeed, all the polities in the room, and I understand that is an Australian term for politicians, I want to thank you for having addressed us here today. It is apparent from your address that you have through the years perfected the orating skills that served you so well in your days at Canterbury Boys High School, where I understand that in your final year you took part in a radio show. Apparently, a tape of the show survives and in it you demonstrate an early ability to think very quickly on your feet, trading unscripted humour with the experienced host and delighting the audience. This skill is doubtless one of the reasons why you were first elected member for Bennelong in 1974, and have just celebrated your tenth anniversary as Prime Minister of Australia.

[Translation]

Last August, I had the honour of leading a parliamentary delegation to Australia, aptly named the "Lucky Country", and

there we met our counterparts in the Senate and the House of Representatives, as well as colleagues in the Parliament of New South Wales and of the Legislative Assembly of Victoria. As you would expect, these meetings were both enjoyable and productive. After all, Canada and Australia share many attributes, from the vastness of our respective lands to the political system inherited from the British tradition of parliamentary democracy. We also enjoy close defence relations, having fought side by side in two world wars and during the Korean War, as the Prime Minister mentioned.

[English]

But while we are ever mindful of our shared history, I believe the friendship that exist between our two countries now rests on our shared present. Although your address to Parliament today was certainly a very special event, it is also but one of the myriad contacts that take place between Canada and Australia.

Not only are our nations regularly involved in formal economic, cultural, technological and, indeed, parliamentary exchanges, we also like to stay in touch on a much more basic level. We are constantly listening to each other's music, watching each other's television programs and visiting one another.

A recent newspaper headline for an article on the Canadian-Australian friendship asked the question, "Separated at Birth?", which speaks of the bond that Canadians feel for Australians. Vast countries both, yes, and a similar political system, but a whole lot more. Tuktoyaktuk and Toowoomba, Cutknife and Indented Head, these towns could be located in either country. Barbecuing, sports, mosquitoes, the amber fluid, which I understand is also known as beer, these are ties that indeed bind us as well as an easy going nature, a certain irreverence and a keen sense of the ridiculous.

Because we share this outlook on life with Australians, my colleagues and I always felt at home while visiting your country, even though we were half a world away. We will always remember the warmth of the welcome we received in Oz, and I hope, Prime Minister, that you feel equally at home when you are here with us.

[Translation]

In closing, please accept my thanks, on behalf of all Members of the House of Commons, for having addressed us today. We hope that you return soon for another Canadian visit, and we wish you Godspeed as you make the long journey to your other home.

Thank you.

[Applause]

THE SENATE OF CANADA

PROGRESS OF LEGISLATION

(indicates the status of a bill by showing the date on which each stage has been completed)

(1st Session, 39th Parliament)

Thursday, May 18, 2006

(*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25	06/05/04	Social Affairs, Science and Technology	06/05/18	0			
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25							

GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-4	An Act to amend An Act to amend the Canada Elections Act and the Income Tax Act	06/05/02	06/05/03	Legal and Constitutional Affairs	06/05/04	0	06/05/09	06/05/11	1/06
C-8	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007 (<i>Appropriation Act No. 1, 2006-2007</i>)	06/05/04	06/05/09	—	—	—	06/05/10	06/05/11	2/06

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05							
S-202	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	06/04/05							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-203	An Act to amend the Public Service Employment Act (priority for appointment for veterans) (Sen. Downe)	06/04/05							
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	06/04/05							
S-205	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	06/04/05							
S-206	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	06/04/05							
S-207	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	06/04/05							
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	06/04/06							
S-209	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	06/04/25							
S-210	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	06/04/25							
S-211	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	06/04/25	06/05/10	Social Affairs, Science and Technology					
S-212	An Act to amend the Income Tax Act (tax relief) (Sen. Austin, P.C.)	06/04/26	Bill withdrawn pursuant to Speaker's Ruling 06/05/11						
S-213	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	06/04/26							
S-214	An Act respecting a National Blood Donor Week (Sen. Mercer)	06/05/17							
S-215	An Act to amend the Income Tax Act in order to provide tax relief (Sen. Austin, P.C.)	06/05/17							

PRIVATE BILLS

[illegible]

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